

*The Statute-Law Com-  
mon-plac'd :*

O R, A Second  
General TABLE  
TO THE  
STATUTES.

CONTAINING  
The Purport and Effect of all the Acts of  
Parliament in Force from *Magna Charta*  
down to this Time, in a Method perfectly  
New and Regular ; with the numerous  
Proviso's and additional Clauses inserted  
under their proper Titles.

THE WHOLE  
Very useful to Counsellors, Attorneys, Solli-  
citors, Justices of the Peace, Mayors, Sheriffs,  
Coroners, Clergymen, Merchants, and all  
Trading Persons.

By G. JACOB, Gent.

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The Statute-Law Com-  
mon-Place :

O R. A 2 1705

General TABLE

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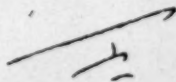
By G. JACOBI, Gent.

In the 24th Year of the said King's Majesty, and  
in the 11th Year of Queen Anne's Majesty, for  
the Year 1705, printed by John Smith, Printer,  
at the Sign of the Crown, in the Strand.



Bankrupts.

1. The Case of the Bankers & their Creditors, stated & examined. Oct. 2.
2. The Judges Resolutions on y<sup>e</sup> several Stat<sup>s</sup> of Bankrupts. by G. Billingham.
3. A Treatise of frauds, Covins & Collusions to defraud Creditors &c. Oct. 1710. 3.
4. The Law against Bankrupts. 3<sup>d</sup> Edit. with y<sup>e</sup> Acts relating to Bankrupts  
to 1713. by T. Goodinge. Oct. — 4. 6.
5. The Reading upon y<sup>e</sup> Statute of y<sup>e</sup> 13<sup>th</sup> Eliz: cap. 7. touching Bankrupts  
656. by J.<sup>r</sup> Stone. Oct. 1695. — 1. 6.



~~The Hon. Sir Tho. Bayly,~~  
~~Knt. Lord Ch. Baron,~~  
~~Robert Price, Bld.~~  
~~Sir Francis Page,~~  
To the Right Honourable

**T H O M A S**

**Lord R A R K E R,**

**Lord High Chancellor of  
Great Britain.**

The Hon. Sir John Prat,  
Knt. Lord Chief Justice  
of England.

Sir Littleton Powis,  
Sir Robert Eyre,  
Sir John Fortescue Aland,

Justices of  
the Court  
of King's  
Bench.

The Hon. Sir Peter King,  
Knt. Lord Ch. Justice,  
Sir John Blencow,  
Robert Tracey, Esq;  
Robert Dormer, Esq;

Justices of  
the Com-  
mon Pleas.

The Hon. Sir *Tho. Bury*,

Knt. Lord Ch. Baron,

*Robert Price*, Esq;

Sir *James Montague*,

Sir *Francis Page*,

Barons of  
the Ex-  
chequer.

This short Treatise, or improv'd  
*General Table to the Statutes*, con-  
taining a View of all the Acts of  
Parliament from the beginning of  
*Magna Charta*, is humbly dedi-  
cated, by

Your Lordship's

Most Dutiful, and

Most Obedient Servant,

Giles Jacob.



~~This is the Case of the Author of~~  
~~this Work; and tho' I do not enjoy~~  
~~that Share of the World's Honour and Bu-~~  
~~wals of the World my small Abilities~~  
**PREFACE.**

**B**EFORE I enter upon any particular Defence of the following Sheets, I think it consistent with my Duty to make an Apology for my very great Presumption in prefixing the Names of the Right Honourable the Lord Chancellor, and the Honourable the Judges (the Ornaments of the Law, and Distributers of Justice) in the Front of this small Performance; and it would be wholly unpardonable, were it not to implore a Protection, which a Person bred to the Law, by a Train of Misfortunes may otherwise want.



## The Preface.

*This is the Case of the Author of this Work; and tho' I do not enjoy that Share of the Favours and Business of the World my small Abilities might claim, having not been so fortunate as to succeed in my Profession, those Years of Practice I employed therein; yet I esteem it no small Felicity, that it lies in my Power to do some Service to others, at least in assisting their Memories, if not improving their Judgments, by reducing the several Branches of the Law to a proper Bounds, freeing them from a Confusion of Method, and perfecting what I find little more than begun by my industrious Predecessors.*

*I think I have not altogether fail'd in my Attempts of this Nature, but I submit my self to my Superiors, whom I am infinitely obliged to for their generous Reception of my weak Labours,*

## The Preface.

Labours, and their passing by with so much good Nature the many, but I hope not material Mistakes, I am sensible, are to be found in my numerous Productions.

The Gentlemen of the Law, of Business and Capacity, are so perpetually employed in the Service of their Clients, that it cannot be expected they should write in their Professions; and it is a publick Misfortune that the Persons who have generally been fondest of Writing have commonly had the least Ability and Experience, which has occasioned so many useless Authors in all our Libraries; and made it absolutely necessary for some Person of Judgment and Leisure to new-write most of the Law-Books (those of Precedents excepted) that have appeared the Century past.

## The Preface

*These Reflections, and my natural Aversion to a supine and unactive Life, have prompted me to pursue the Business of an Author in the utmost Latitude, to render my Account of Time satisfactory, if not for my own Interest, however for the good of my Profession. This will be evident, on considering the many Performances I have successfully gone through, by the Encouragement I have met with in general, and of some Persons of Distinction; and the undertaking Genius of my Bookseller, whose generous Offers are sufficiently known, and to whom, every Thing consider'd, I must say, much is due.*

*By his Means in a youthful Age I fit down a Voluminous Writer: And to come to my Treatise in Hand, you may remember, that some time since*



## The Preface.

Since I published a General Table to the Statutes, which being complained of as tending more to an Amusement than to a real Information, I resolv'd to improve that Scheme by a second Attempt, which might give my Readers a more compleat View of all the Statutes from Magna Charta.

Persuant to this Resolution I began and finished this second Table as it now appears to the World : And I have thus much to offer in its Favour, that it entirely answers the Title ; that it has the Effect of all the Acts of Parliament : And to make it compleatly useful, I have introduc'd several material Heads, not hitherto mentioned ; and those Things I have omitted (Customs and Taxes, which have Branches too numerous for particular Notice, excepted) proceed either from Acts relating to certain Places of a private Nature, Temporary



## The Preface

rary Acts, containing the same Thing over again, or obsolete Statutes.

Whatever Omissions there may be, I presume they will appear insignificant, the best Care having been taken in the Composure; and its small Imperfections I hope will be excused, if only on account of the Confusedness of the Volumes I have been under a Necessity of consulting; and in respect to methodizing, particularly the Proviso's and additional Clauses, to range them under their proper Titles, which has been a Task of no small Difficulty: And it is impossible some Things can be so very plain and intelligible in this short way of Writing, as in the Method of Treatise.

This obliges me to make one Request of the publick; that they would consider the following Sheets as an improved Table, the Title I have given it, and not as a Treatise; and  
if

## The Preface.

if some Persons will have this Performance, contrary to my Intentions, to be an Abridgement of the Statutes, let them make an Allowance for the prodigious (and I suppose till now unknown) Reduction of three of the largest siz'd Folio's, to two hundred Pages in Octavo, within the Extent of the Tables to the Abridgments of those Books, and I believe they will find it equally compleat to any Thing of its Kind.

By the Index of Heads you may have Recourse to any Thing wanted; which is all I have farther to say, but that in Regard to this and all my other Pieces, besides the Pleasures I find in the Studies of the Law, I am not only satisfied but justified by the memorable Advice of the great Sir Edward Coke, ---Omnes debere jurisprudentiæ libris componendis animum adicere.

G. Jacob.

# INTRODUCTION.

**I**ntroductions are both necessary and useful in all manner of Treatises, where some Standard Knowledge or Fundamental Maxim is often referred to in a Performance; or where something essential, on which the whole Work is built, is required to be explained.

This last is the present Use of my short introductory Proem; wherein I shall give you besides a Definition, the General Construction and Exposition of Statutes; and a short Illustration of *Magna Charta*, the Basis and Foundation of our Statute-Law.

And first the Statute-Law is the Act and Deed of the King and the whole Realm solemnly pass'd, made by the several Kings of *England*, with the Advice and Consent of all the Lords Spiritual and Temporal, and of all the Commons of *England* by their Representatives in Parliament. And our Statutes have been generally introduced on a Deficiency of the Common Law.

These Statutes from Time to Time made have met with various Expositions and Constructions; and my Lord *Coke* tells us, That where the Statute-Law and Common Law interfere, the Common Law shall be preferred; as shall a Statute be against a Custom or Prescription, unless the same be aided or preserved by some Act of

Par-





Parliament; for it is a Matter of Record, and cannot regularly be preferib'd against. *Co. Litt. 115.*

It is the most natural and genuine Exposition of Statutes to construe one Part by another Part of the same Statute, for that best expresses the Meaning of the Makers; the Preamble is a very great Furtherance to the finding out the Design and Meaning of a Statute, and is as it were a Key to the Knowledge thereof. The Words of an Act of Parliament are to be taken in a lawful and rightful Sense; and the Construction of Statutes in general must be made in Suppression of the Mischief, and to the Advancement of the Remedy. *Co. Litt. 381.*

Cases of the same Nature shall be within the Remedy, though out of the Letter of a Statute. *13 Eliz.* And sometimes Statutes shall extend by Equity to other Actions and other Conveyances, &c. than are mentioned. Equity being a Construction made by the Judges, that Cases out of the Letter of a Statute, yet being within the same Mischief, shall be within the same Remedy the Statute provides; and the Lawmakers cannot possibly set down all Cases that may happen in exprefs Words. *Co. Litt. 24, &c.*

In the second Part of *Coke's Institutes*, p. 235. the Learned Judge says, That an Act of Parliament in Affirmance of the Common Law extends to all Times after, though it mentions only to give Remedy for the present. And where a Thing is granted by Statute, all necessary Incidents are granted with it.

An Act made to suppress a Wrong binds the King, though he be not named, *2 Part Coke, 861.* But impossible Clauses in Statutes are void, and



So are all Statutes made against *Magna Charta*, declared to be by 43 Ed. 3.

I am now proceeding to *Magna Charta*. This great Charter was granted Anno 9 H. 3. and the Motives inducing the making it were very great and good, viz. for the Honour of God, the Health of the King's Soul, the Exaltation of Holy Church, and the Amendment of the Kingdom.

This Statute is divided into 38 Chapters. The first Chapter provides, That the Church of *England* shall be free, and all Ecclesiastical Persons enjoy their Rights and Privileges. The 2d is of the Nobility, Knights-Service, Reliefs, &c. The 3d concerns Heirs, and their being in Ward. The 4th directs Guardians for Heirs within Age, who are not to commit Waste. And the 5th relates to the Custody of Lands, Tenements, &c. of Heirs, and Delivery of them up when the Heirs are of Age.

The 6th Chap. concerns the Marriage of Heirs. The 7th appoints Dower to Women after the Death of their Husbands, a third Part of Lands, &c. The 8th relates to Sheriffs, Bailiffs, &c. and directs that they shall not seize Lands where there are Goods, &c. the Surety not to be distreined where the Principal is sufficient, &c. The 9th grants to *London* and all Cities, the ancient Liberties. And the 10th orders that no Distress be taken for more Rent than is due, &c.

By the 11th the Court of Common Pleas is to be held in a certain Place. The 12th gives Remedy on Disseisin of Lands, &c. by Justices of Assize, &c. The 13th relates to Assises of *darrein Praesentment* brought by Ecclesiasticks, &c. The 14th enacts, That no Freeman shall be amerced for a small Fault, but in Proportion to the Offence, and by the Oaths of lawful Men.

And

And by the 15th no Town, &c. shall be distreined to make Bridges, &c. but such as of ancient Time have been accustomed.

The 16th Chapter is of Sea Banks. The 17th prohibits Sheriffs, Coroners, &c. from holding Pleas of the Crown. Chap. 18. The King's Debtor dying, the King shall be first paid his Debt, and the Residue to go the Executors, &c. The 19th directs the Manner of levying Purveyance, and the 20th concerns Castleward, where a Knight was distreined for Money for keeping his Castle on his Neglect.

The 21st Chapter forbids Sheriffs, Bailiffs, &c. to take the Horses or Carts of any Person to make Carriage without paying for. By the 22d the King is to have Lands of Felons a Year and a Day, and afterwards the Lords of the Fee. The 23d requires Weares to be put down on the Sea Coasts. The 24th directs the Writ *Precepe in Capite* for Lords against Tenants offering Wrong, &c. And the 25th declares that there shall be but one Measure throughout the Realm.

The 26th Chap. Inquisition of Life and Member to be granted freely. the 27th relates to Tenure in Socage, Knights Service and Petit Sergeanty, (all taken away by 12 Car. 2.) The 28th directs, That no Man shall be put to his Law on the bare Suggestion of another, but by lawful Witnesses. The 29th, No Freeman shall be disseised of his Freehold, imprisoned or condemned, but by Judgment of his Peers, or by Law. The 30th requires that Merchant-Strangers be civilly treated, &c.

The 31st Chapter relates to Tenure of Barony, &c. coming to the King by Escheat. By the 32d no Freeman to sell Land, but so that the Residue may answer the Services. The 33d, Pa-

trons

trons of Abbeyes, &c. to have the Custody of them in Time of Vacation. The 34th, a Woman to have an Appeal for the Death of her Husband. The 35th directs the keeping of the County-Court Monthly; and also the Times of holding the Sheriff's turn, and View of Frankpledge. The 36th makes it unlawful to give Lands to religious Houses in Mortmain. The 37th relates to Escuage and Subsidy, to be taken as usual. And the 38th ratifies and confirms every Article of this great Charter of Liberties.

These are the several Chapters of *Magna Charta*, and Sir *Edward Coke* tells us, This Charter was for the most Part only a Declaration and Restitution of the ancient Common Law. And by 25 Ed. 1. it is declared that the great Charter shall be taken as the Common Law.

N. B. The Reader is desired (in the last Sheet) under Title *Ute*, in the last Paragraph, to read, *The Persons having the Use, shall be adjudged in lawful Seisin, &c. and the Estate, Right, &c. to be in them; the Words, such others, being omitted.*



A General



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A SECOND  
General TABLE  
TO THE  
STATUTES.

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Abatement.

**M**istakes of Clerks, of a Letter or Syllable in a Writ, &c. shall not abate it. 14 E. 3. c. 6.  
No Writ, Action or Suit to abate on account of any Person's being created a Duke, Earl, Baron, Knight, or other honorary Preferment, pending the Suit, &c. 1 Ed. 6. c. 7.

The Death of a Plaintiff or Defendant, where there are two or more, and the Cause of Action survives to the surviving Plaintiff, &c. shall not abate the Writ or Action. 8 & 9 W. 3. c. 11.

No Plea in Abatement to be admitted in any Suit for Partition; nor shall the same abate by reason of the Death of any Tenant. 8 & 9 W. 3. c. 31.

B

Dilatory



## A Second General T A B L E

4 & 5 *Anna*  
c. 16. Dilatory Pleas not to be received in any Court of Record, unless some probable Matter be shewn, or the Truth proved by Affidavit.

See more, Title *Discontinuance*.

### Ability.

25 *E.* 3. **B**Y the Statute, *De Natis ultra Mare*, the King's Issue are of Ability to inherit in *England*, wheresoever born; and Children of Subjects born beyond Sea, may likewise inherit, if their Birth were within the King's Allegiance.

9 & 10 *W.* 3.  
c. 20. Persons born out of the King's Dominions of Natural-born Subjects, in the Service of his Majesty, during the War with *France*, or at any Time before the 25th of *March* 1698. declar'd Natural-born Subjects, as if born in *England*, and able to challenge and enjoy Lands and Hereditaments, &c. But they are to receive the Sacrament, and take the Oaths appointed, in five Years after the Age of fourteen.

10 & 11 *W.*  
3. c. 16. Where Estates are settled to Uses on Marriage, Children born after the Decease of their Fathers, may take the Estate limited by the Settlement, in the same Manner as if born in the Life-time of such Father.

11 & 12 *W.*  
3. c. 6. Natural-born Subjects within any of his Majesty's Dominions, are of Ability to inherit Manors, &c. and make their Descents, altho' their Ancestors were born out of the King's Allegiance.

7 *Anna*, c. 5. By this Statute Children of all Natural-born Subjects, born out of the Allegiance of her Majesty, are declared Natural-born Subjects of this Kingdom.

### Accounts.

*Stat. Marl.*  
52 *H.* 3 c. 23. **B**ailiffs of Lords, &c. withdrawing themselves from accounting, liable to Attachment by the Sheriff.



Accountants, Servants, Bailiffs, &c. found in Arrear *Stat. Westm.* by Auditors assigned by their Masters, to be committed 2. c. 11. to Gaol till Satisfaction may be made; but they may ap- 13 E. 1. peal to the Barons of the Exchequer, &c.

Commissioners to enquire of the Accounts of Sheriffs, 6 H. 4. c. 3. Customers, and others the King's Officers in the Country, after pass'd in the Exchequer, and if they are detected in any Fraud to incur treble Damages.

These Acts give to the Crown Moneys in the Hands of Treasurers, Accomptants, &c. not pardon'd by the Act of Oblivion; and vest in his Majesty the Arrears of Excise and new Imposts. 13 Car. 2. c. 3. 13 & 14 Car. 2. c. 16.

This Statute appoints Commissioners to examine and state the publick Accounts for one Year. 2 W. & M. Sess. 2. c. 11.

Continues and revives *Stat. 2 W. & M.* for one Year each successively. 4 & 5 & 5 & 6 W. & M.

These Acts do likewise the same for two Years more in Succession. 6 & 7. 7 & 8 W. & M.

An Act for examining and determining the Debts due to the Army, Navy, &c. Officers of the Exchequer, Secretaries and Treasurers of War, Muster-Masters, Agents, &c. to observe the Orders of Commissioners; the Commissioners to send for Persons, Papers, &c. make Certificates to the Paymaster of the Forces, who is to make out Debentures; the Commissioners to give an Account of their Proceedings to the King and Parliament, and 1500 l. to be allowed for Clerks and Officers, &c. 1 Anne, c. 20. besides 400 l. for each Commissioner. revives 11 & 12 W.

The Commissioners also to take an Account of Ships and Goods condemn'd as Prize during the War.

These Acts revive the former Statute for taking examining and stating the publick Accounts for the Years 1703, and 1704. 1 Anne, c. 10. & 19.

This Statute charges Accountants with Interest-Money, 2 Anne, c. 17. and renews Debentures for Arrears due to the Army, &c. lost or destroyed.

By these Statutes Commissioners were appointed for stating the publick Accounts, to examine Corruptions in the Management of the King's Treasure, Accounts of Officers of the Army, &c. and Officers of the Exchequer, Secretary at War, &c. to attend, execute Orders, &c. the Commissioners to distinguish what due for Cloathing, what for Poundage, and what remains due 9 Anne, c. 13. 10 Anne, c. 8. 31.

to each Officer, &c. and certifie to the Paymaster of the Forces.

2 & 3 G. 0.

Acts for stating Debts due to the Army, &c.

### Accusations.

*Mag. Charta.* **N**O Freeman shall be imprison'd or condemn'd on any Accusation, without Trial by his Peers, or the Law.

5 E. 3. c. 9. Neither shall any one be attach'd, or his Lands seised contrary to Law.

25 E. 3. 4. By this Act none are to be apprehended without Indictment, Presentment or Process at Common Law ;

*Stat. 5.* and none shall be ousted of his Freehold, but by Law ;

42 E. 3. c. 3. and none shall be ousted of his Freehold, but by Law ;

28 E. 3. c. 3. nor answer an Accusation to the King without Presentment or Matter of Record.

37 E. 3. c. 18. Promoters of Suggestions to find Surety to pursue

38 E. 3. c. 9. them, or to incur the Penalty which the Accus'd should suffer, before Process be granted. Not making them good, to satisfy Damages.

17 R. 2. c. 6. The Chancellor may award Damages on an unnatural Suggestion in the Chancery, for the Party accus'd.

15 H. 6. c. 4. Persons suing forth a *Subpoena* to find Surety to satisfy the Defendant Damages, if he do not make good his Bill.

5 & 6 E. 6. In cases of Treason there must be two lawful Accusers.

c. 11. And by this Act Witnesses at the Offender's Arraign-

13 Car. 2. c. 1. ment are to appear before him Face to Face.

### Actions.

5 Eliz. c. 9. **A**N Action lies against a Witness for not appearing to give Evidence, after he is served with a *Subpoena* and had reasonable Charges offered him ; the Penalty is 10 l.

21 Jac. 1. All Writs of Formedon for any Title to Lands *in esse* are to be sued within twenty Years after the Title accru'd ; and Entry to be made in the same Time : Actions upon the Case (except for Slander) Actions for Accompt (except



(except such as concern Merchandize) Actions of Debt, Detinue, Trover and Trespass, to be commenc'd within six Years: Actions for Assault and Battery to be brought within four Years; and Actions upon the Case for Words to be prosecuted within two Years after the cause of Action: Persons *Non compos*, Feme Coverts, Infants, Persons beyond the Seas, &c. allowed the same Time after their Imperfections removed. When Judgment is given for the Plaintiff in any Action, and the same is reversed, his Heirs, Executors, &c. may commence a new Action in a Year.

Actions popular which may be presented before Justices of Assize, &c. to be prosecuted only in the Counties where the Offences were committed; except for Recusancy, Maintenance, transporting Wool, &c. and the Informer to make Oath of it within a Year. 21 Jac. 1. c. 4.

An Informer is to exhibit his Suit in proper Person, by way of Information or original Action: Not to compound on Pain of 10 l. And if he discontinues or is Non-suit, the Court shall immediately assign Costs to the Defendant; the Defendant may plead the general Issue, and give special Matter in Evidence. 18 Eliz. c. 5.

This Act prohibits Informers heretofore restrained, to pursue Actions popular. 31 Eliz. c. 5.

The Plaintiff shall be barr'd by Traverse, if the Action be not laid in the County where the Offence was done: But this Act does not affect Informations of Officers, nor Actions for Champerty, buying of Titles, Extortion, concealing Customs, Forestalling. &c. the Penalty amounting to 20 l. for in these Cases the Offence may be laid in any County.

Popular Actions where the King only hath the Forfeiture, to be commenc'd in two Years; where an Informer hath a Part, in one Year; unless a shorter Time is limited by Statute.

Suits in the Admiralty for Seamens Wages, to be prosecuted in six Years: And if any Person against whom cause of Action for Seamens Wages, Trespass, Account, Case, &c. shall be beyond Sea; the Plaintiff to bring his Action within the Time limited by this Act, and Stat. 21 Jac. 1. after his Return. 4 & 5 Anne, c. 16.

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### Additions.

1 H. 5. c. 5. **I**N original Writs, where Exigent shall be awarded, &c. Additions of the Defendant's Condition and Place of Abode are to be inserted. And Clerks of Chancery omitting Additions shall be fin'd. Outlawries prosecuted where the Writs have not such Additions to be void, and Surplusage of Addition shall not prejudice.

The Place of Abode is likewise expressly required in Indictments, and this Omission is not helped by *Stat. 8 H. 6. Of Amendments*, for 'tis excepted out of that Act.

18 H. 6. c. 12. In Indictments the Town is likewise to be named where the Fact was done, and also the County; but if this last be in the Margin, 'tis well enough.

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### Admeasurement of Dower, &c.

*Stat. Westm.*

2. c. 7.

13 E. 1.

**A** Writ of Admeasurement of Dower may be brought by a Guardian; but the Heir shall not be barr'd.

Admeasurement to be made if the Defendant do not appear, and if he does appear, the Plea shall proceed.

*Stat. Westm.*

2. c. 8. 13

E. 1.

As to Admeasurement of Pasture, upon a second Overcharge after admeasuring, the Remedy shall be by Writ, and the Plaintiff to have Damages, and the King the Value of the Beasts. The Sheriff is to enquire of the Value, &c.

6 & 7 W. 3.

c. 13.

By this Statute, Keels, Boats, Wains, &c. are to be admeasured, between *Lady-Day* and *Michaelmas*, of which three Days Notice to be given. Boats, Keels, &c. carrying Coals before Admeasurement, to be forfeited, &c.

Admi.

## Administrators.

**N**EXT Friend of the Intestate to be deputed Administrator by the Ordinary, who shall have the Benefit and Charge of an Executor. 31 E. 3. c. 11.

This Statute directs Administration to be granted to the Widow, or next of Kin to the Intestate, and Administrators as well as Executors to make true Inventories of Goods in the Presence of two Creditors, the next of Kin, or two or more Neighbours, and deliver them in upon Oath to the Ordinary. A Creditor or other Person may be likewise Administrator, where Administration is neglected, &c. 21 H. 8. c. 5.

No Fee is to be given for Letters of Administration, where the Goods are under the Value of 5 l. and if above, and exceed not 40 l. the Officer's Fee is only 2 s. 6 d.

Ordinaries, &c. upon their granting Administration to take Bonds with Sureties for the faithful Discharge of the Trust, rendering Accounts, &c. and the Ordinaries, &c. may call Administrators to Account, and order Distribution. 22 & 23 Car. 2. c. 10.

After the Debts, Funeral, and other just Expences are allowed, the Surplusage to go, one Third to the Wife of the Intestate, and the Residue amongst his Children and their legal Representatives. Children advanc'd in the Intestate's Life-time to a full Share, excepted; but the Heir at Law to have an equal Share.

If there be no Children nor Representatives, one Moiety shall be allotted the Wife, and the Residue equally to the next of Kin; and if there be no Wife, but Children, it shall be distributed amongst the Children; and if no Children nor Wife, amongst the next of Kin in equal Degree. No Representatives to be admitted after Brothers and Sisters Children; and no Distribution shall be made till one Year after the Intestate's Death. *Ibid. Stat.*

The preceding Act not to extend to the Estates of Feme Coverts that die intestate; and their Husbands may have Administration of their personal Estates. 29 Car. 2. c. 3.

An Administrator *de bonis non*, may sue a *Scire Facias*, and take Execution upon a Judgment. 30 Car. 2. c. 6.



17 *ac. 2. c. 17.* This Statute makes the Act of 22 & 23 *Car. 2.* and also the Acts 29 & 30 *Car. 2.* perpetual; and orders that no Administrator shall be cited into any Ecclesiastical Court to render an Account, otherwise than by Inventory, unless at the Instance of the next of Kin, Creditor, &c.

If Children die after the Death of the Father, without Wife or Child, the Mother and every Brother and Sister, and their Representatives shall have equal Shares.

The Customs of the City of *London*, and Province of *York*, &c. are saved.

8 & 9 *W. 3. c. 11.* Administrators not liable to pay Costs by this Act, though in Actions for wilful and malicious Trespass, the Plaintiff shall recover against other Persons Damages and full Costs.

9 & 10 *W. 3. c. 41.* Personating Relations, &c. of Seamen, and taking Letters of Administration, or forged Letters of Attorney, &c. for Receipt of Wages, incurs a Forfeiture of 200 *l.* besides the other Penalties.

No more than 1 *s.* for the Seal, to be paid on suing forth Administration on the Death of a Seaman, if the Chattels are not worth above 20 *l.* under the Penalty of 10 *l.*

4 & 5 *Anne, c. 16.* Wages due for Work done in any of the Royal Docks, not to be deemed *Bona Notabilia* to grant Administration.

See more of Administration, Executors, Ordinary.

### Admiralty.

13 *R. 2. c. 5.* BY this Statute Admirals are not to meddle with any Thing but Matters done upon the Sea.

15 *R. 2. c. 3.* Admiral's Court has no Power in Bodies of Counties, nor with Wrecks. But of the Death of a Man, &c. in the main Stream of great Rivers, near the Sea, it has Cognizance.

2 *H. 4. c. 11.* For Non-observance of the Statute 13 *R. 2.* double Damages are recoverable, &c.

2 & 3 *E. 6. c. 6.* Officers of the Admiralty not to take any Thing for a License for fishing in *Newfoundland*, &c. or for such Voyages.

Voyages, on Pain of forfeiting treble the Value of the Reward taken.

The Lord Admiral, &c. has Power to hear and determine Offences for eating of Flesh on Fish-days. 5 & 6 E. 6. c. 14.

A definitive Sentence in a Civil and Marine Cause by 8 Eliz. c. 5. Delegates to be final.

Authorities invested in the Lord High Admiral to be used and executed by Commissioners. Officers on a Court Martial appointed by the Admiralty to take an Oath well and truly to try and determine, &c. 2 W. & M. c. 2.

Ships taken as Prize, belonging to his Majesty's Subjects, to be restored by Decree of the Court of Admiralty to the former Owners, paying an eighth Part of the Value for Salvage. The Lord High Admiral, or Commissioners of the Admiralty, to give Instructions to Men of War relating to Prizes, &c. 4 & 5 W. & M. c. 25.

The Lord High Admiral or three Commissioners may discharge any Seaman who has been registred, for any Offence committed, and deprive him of the Benefit of such Register. 7 & 8 W. 3. c. 21.

Piracies are punishable by the Admiralty. All Piracies, Robberies on the Sea, &c. in the Admiral's Jurisdiction, may be tried at Sea or Land, by Commission under the Great Seal, or of the Admiralty. Commissioners to be seven, who are to proceed according to the Course of the Admiralty. The Register to transmit Copies of the Proceedings to the Admiralty. 11 & 12 W. 3. c. 7.

The Admiralty Jurisdiction in Scotland to be under the Lord High Admiral of Great Britain, or Commissioners of the Admiralty, by the Union. 5 Anne, c. 8.

The Admiralty to appoint Persons to receive 6 d. per Month out of Seamen's Wages, not in the Service of the Crown, for the better Support of Greenwich Hospital. 10 Anne, c. 17.

## Advowson.

**U** Surpation of Churches during particular Estates, Coverture, Vacancy, &c. shall not bar an Heir at full Age, the Reversioner, Feme Discoverd, &c. from having the Writ *Quare Impedit* or *Darein Presentment*. 2 Stat. Westm. c. 5. 13 E. 1.

The same Form of pleading to be used in *Darein Presentment*.

*Stat. ibid.*

ment and *Quare Impedit*, and the Plea not to stay for Ple-  
nary, so as the Writ be purchased in six Months.

If six Months pass hanging a *Quare Impedit*, and the  
Bishop presents by Lapse, the Patron shall recover Dama-  
ges to two Years Value of the Church, against the Di-  
sturber. And when a Parson is disturb'd to demand Tithes  
in the next Parish, the Patron shall have a Writ to de-  
mand the Advowson of those Tithes.

If Partition of an Advowson be made on Record or  
by Fine, to present by Turn, and a Copartner is distur-  
bed, he may have Remedy upon the Rell, or Fine by  
*Scire Facias*. If one present twice together, the other is  
not thereby bar'd.

*Perog. Reg.*

c. 8. 17 E. 2.

*Stat. de Clero.*

c. 323 E. 3.

25 E. 3. c. 7.

12 Car. 2.

c. 17.

1 W. & M.

sess. 1. c. 26.

11 & 12 W.

3. c. 2.

7 Anne, c. 18.

Lapse of six Months not to prejudice the King's Pre-  
sentation.

When the King collates to a Church in another's Right,  
his Title to be well examined, and the Patron to have  
Writs, &c.

The Ordinary or Incumbent may counterplead the  
King's Title, where the King's Right is not tried, (on  
his taking a Suit against the Patron) when the Ordinary  
presents by Lapse.

By this Act Confirmation of Ministers, not to make  
any Usurpation against Patrons.

Persons seised of any Advowson, &c. Right to any  
Free-School, Hospital, &c. being Papists, or in Trust  
for Papists, are disabled to present, &c. And the Chan-  
cellors of the Universities to have the Presentations. Such  
Trustees, &c. presenting without giving Notice to the  
Vice-Chancellor of the University, within three Months  
after the Avoidance, to forfeit 500 l.

Trustees to convey Advowsons, Rectories impropriate,  
&c. forfeited in *Ireland* to such Trustees as the Bishop of  
the Diocese shall nominate, for employing the Profits  
thereof for twenty Years, towards repairing or rebuilding  
other Parish-Churches; and afterwards in perpetual  
Augmentation of small Livings.

No Usurpation upon any Avoidance shall displace the  
Estate of the Patron, and turn it to a Right, but he may  
present upon the next Avoidance. Where Coparceners  
Jointenants, &c. are seised of an Advowson, and a Par-  
tition is made to present by Turns, each of them shall be  
seised of his separate Estate.



A Presentrion or the next Avoidance granted for any Sum of Money, &c. to be void, and such Agreement deemed a Simoniactal Contract. 12 Ann., c. 12.

See more Church, &c.

### Affidavit.

**T**HIS Statute orders Affidavits to be taken concerning Matters depending in the Court of the Dutchy Chamber of *Lancaster*, and filed, by Persons impower'd by the Chancellor of the Dutchy. Taking the Affidavit *1 s.* 16 & 17 Car. 2. c. 9.

The Chief Justice, and other Justices of the King's Bench; or any two of them, the Justices of the Common Pleas, the Lord Treasurer, Chancellor, and Barons of the Exchequer, may by Commission impower Persons in the several Counties to take Affidavits of Things concerning Proceedings in their Courts, as Masters of Chancery in Extraordinary used to do. And Judges of Assize in their Circuits may take Affidavits relating to any Thing depending, &c. Persons taking the Affidavit to receive but *1 s.* besides the King's Duty on the Paper. 29 Car. 2. c. 5.

Upon Affidavit made of Recognizance of Bails, taken in the Country by Persons impower'd by the Justices of the King's Bench, Common Pleas, and Barons of the Exchequer, and that the same were duly taken, such Justices, &c. shall receive them upon Payment of the usual Fees. 4 & 5 W. & M. c. 4.

When Affidavit is made of inserting an Agreement in a Submission on Arbitration, that such Submission shall be made a Rule of Court, upon reading and filing the Affidavit in the Court chose, the same may be entred of Record in such Court, and a Rule of Court shall thereupon be made, whereby the Parties shall be finally concluded. 9 & 10 W. 3. c. 15.

Affidavit to be made of the Cause of dilatory Pleas. 4 & 5 Anna, c. 16.

African

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### African Company.

9 & 10 W 3. **T**HE Royal *African* Company to maintain all Forts, &c. in their Possession. And all Persons may trade thither as well as the Company, paying a Duty of 10 per Cent. on Exportation for maintaining the Forts, &c. and a further Duty of 10 per Cent. on Importation. All Persons paying the Duty to be protected in their Trade as the Company. If Ships are cast away, the Company to make Allowance for Money paid. No Governor, &c. abroad to be a Factor or Agent on Pain of 500 l.

10 Anne,  
c. 27.

By this Act two third Parts in Number and Value of the Creditors of the *African* Company, may allow them Time for Payment of Debts, or Compound, &c.

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### Age.

Westm. 1. c. 46  
3 E. 1.

**N**ONAGE of the Heir of a Disseisor or Disseisee, where a Writ of Novel Disseisin is purchased, and the Disseisor dying before the Assise pass'd, the Plaintiff brings a Writ of Entry against the Heir, shall not prejudice in Assise.

Stat. Glouc.  
c. 2. 6. E. 1.

If an Infant be driven to his Writ for Recovery of his Inheritance, the Inquest to pass notwithstanding his Non-age.

Westm. 2.  
c. 40.

The Suit of a Woman or her Heir shall not be delayed by the Minority of the Heir.

13 E. 1.

All Persons except Infants, Feme Coverts, &c. by Fine proclaimed and certified according to Law, shall be excluded, if they pursue not their Right by Action or Entry in five Years.

1 R. 3. c. 7.

Persons sending Children beyond Sea to be instructed in Popery are liable to a Penalty of 100 l. and such Children are rendered incapable to enjoy any Lands, &c. unless being eighteen Years of Age, or above, they take the Oaths;

1 Jac. 1. c. 4.

3 Jac. 1. c. 5.

Oaths; and in the mean time the next of Kin to enjoy,  
*&c.*

Infancy in the Plaintiff who appears by Attorney is  
 help'd by Verdict. 21 Jac. 1.  
c. 23.

When a Charter of Pardon is pleaded for Felony by an  
 Infant, Feme Cover'd, *&c.* they are to find Sureties for  
 their Good Behaviour. 5 & 6 W.  
& M.

No Person is capable of being elected Member of Par-  
 liament, or of voting in Elections, that is under the Age  
 of twenty-one. 7 & 8 W. 3.  
c. 25.

Guardians may subscribe for Infants to the Stock of  
 the *South-Sea Company*, *&c.* 9 Anne, c. 21.

Agreements made by Guardians and Trustees, with  
 Creditors in the *African Company*, allowing them Time,  
 to bind Infants, *&c.* 10 Ann. c. 21.

Infants to convey by Decree in Chancery. See  
 Chancery.

### Aid.

**W**Here a Charter or Feoffment made by the King  
 binds others to Warranty, the Heir shall have  
 Aid; but where the King only confirms another Man's  
 Aft, or no Clause of Warranty is in the Charter, the  
 Tenant shall not have Aid. 4 E. 1. c. 1.

In Dower the King's Grantee of a Ward shall not have  
 Aid.

### Alehouses, &c.

**I**N respect to Licenses; none to keep an Alehouse with-  
 out being licensed in Sessions, or by two Justices,  
 (*Quorum unus*) on Pain of three Days Imprisonment, and  
 a Fine impos'd by the Quarter-Sessions. The Justices  
 have Power to put down Alehouses, and to take Recogni-  
 zances for keeping good Orders, *&c.* But this Aft not  
 to restrain selling of Ale, *&c.* in Fairs. 5 & 6 E. 6.  
c. 25.

Alehouse-



- 1 Jac. 1. c. 9. Alehouse-keepers, &c. permitting Townsmen to sit tipling, are liable to the Penalty of 10 s. and in Default of Payment to be imprisoned till it is satisfied. Selling less than a full Quart of Ale for a Penny, forfeit 20 s. And Officers neglecting to levy the Penalties to forfeit 40 s. Persons tipling in Alehouses to forfeit 3 s. 4 d. or to sit in the Stocks four Hours.
- 4 Jac. 1. c. 4. Selling Ale to an unlicensed Alehouse-keeper incurs a Penalty of 6 s. 8 d. for every Barrel. The Prosecution to be in the Quarter Sessions.
- 4 Jac. 1. c. 5. A Person convicted of Drunkenness to forfeit 5 s. or be put in the Stocks six Hours.
- 7 Jac. 1. c. 10. And Alehouse-keepers convicted, disabled to keep an Alehouse for three Years.
- 21 Jac. 1. c. 7. One Witness, or the Party's own Confession, sufficient; and the Oath of the Party confessing shall convict others.
- 1 Car. 1. c. 14. Alehouse keepers, &c. permitting any Persons whatsoever to sit tipling, incur the Penalty of 1 Jac. c. 9. Vintners, keeping also Inns or Victualling-houses, within this Act.
- 3 Car. 1. c. 3. Persons keeping Alehouses without Licence to forfeit 20 s. to the Poor, or be whipp'd. And for the second Offence to be committed to the House of Correction for a Month.
- 11 & 12 W. 3. c. 15. By this Act Persons retailing Ale or Beer, Alehouse-keepers, &c. are to sell their Ale by a full Ale Quart or Pint, according to the Standard in the Exchequer, mark'd from the said Standard, or forfeit a Sum not exceeding 40 s. nor under 10 s. Sub-Commissioners or Collectors of Excise to provide substantial Ale-Quarts and Pints in every Town in their Divisions, or be liable to the Penalty of 5 l. And the Mayors or Chief Officers not marking such Measures to forfeit 5 l. and treble Damages. This Act not to extend to Colleges or Halls in Universities.
- 11 & 12 W. 3. Sellers of Brandy or other distill'd Liquors without Licence, are liable to the Penalties of 1 Car. 1. c. 14. inflicted on Alehouse-keepers.

Alienation.

## Alienation.

**N**One may alien Lands held of the King by Knight's Service, &c. in such Quantities, as that the Residue will be insufficient for the Service. 17 E. 2.

Licences of Alienations (except upon raising of Uses by the Covenantor) shall be general. Officer's Fees for drawing, pleading, entering and finishing a Licence of Alienation, 1 l. 6 s. 8 d. 1 Car. 1. c. 3.

The King may grant to any Person or Persons, Bodies Politick, &c. Licence to alien in Mortmain, and to purchase and hold in Mortmain in Perpetuity; and such Lands, &c. so alien'd not to be subject to any Forfeiture. 7 & 8 W. 3. c. 37.

## Aliens.

**N**O Alien shall purchase a Benefice in this Realm, nor occupy the same without the King's Licence, in Pain of a *Premunire*. 7 R. 2. c. 12.

Strangers in League with the King, or having his safe Conduct, attach'd in their Persons or Shipping by his Majesty's Subjects, to be enlarg'd, and Restitution made by the Lord Chancellor. 31 H. 6. c. 4.

An Alien Artificer not to exercise any Handicraft Trade in *England*, nor make any Cloth, or sell Wares by Retail, on Pain of forfeiting his Goods. Nor take any Apprentice but a Subject born under the Penalty of 20 l. 1 R. 3. c. 9.

No Stranger-Artificer to take any Apprentice, but such as born under the King's Obedience on Pain of 10 l. And not to keep above two Journeymen, except they be such Persons. Wardens of Handicrafts in *London* to assign proper Marks for Strangers Wares. Selling Wares without such Mark to forfeit double the Value. But this Act extends only to Joyners, Coopers, Blacksmiths, &c. 14 H. 8. c. 2.

A Stranger-Artificer not to keep in his House at one Time above two Strangers Servants, but as many *Englishmen* Servants and Apprentices as he can get. No Strangers 21 H. 8. c. 16.

- Strangers, but Denizens to keep House or Shop under the Penalties *supra*, neither shall they assemble but in the Common Halls of their Mysteries.
- 14 & 15 H. 8. c. 4. Englishmen sworn Subjects to any Foreign Prince, shall pay such Impositions as Aliens do; but returning and dwelling here again, to be restored to their Liberties.
- 22 H. 8. c. 8. Aliens born, made Denizens, to pay such Customs, &c. as they did before such Denization. Aliens may bring Wines into this Kingdom. 38 E. 3. c. 11.
- 34 E. 3. c. 17. All kind of Merchandize may be exported and imported out of and into *Ireland* as well by Aliens as Denizens.
- 32 H. 8. c. 16. This Statute enacts, That all Strangers made Denizens are to be obedient to the Statutes; and every Alien to observe the Laws of the Kingdom: Neither Strangers nor Subjects to keep above four Servants Strangers on Pain of 10 *l*. And no Stranger (except Denizens) to take a Lease of any House or Shop, under the Penalty of 5 *l*.
- 1 Jac. 1. c. 17. None to retain any Stranger in the Art of Felt-making on Pain to forfeit 5 *l* per Month.
- 15 Car. 2. c. 15. Any Person (Native or Foreigner) may set up in any Place in *England* or *Wales*, the Trade of dressing Hemp or Flax, and the Trade of making Twine or Nets for Fishery, or Cordage and Tapestry Hangings.
- 12 Car. 2. c. 18. No Alien shall be a Merchant or Factor abroad in the Plantations under the Penalty of forfeiting all his Goods.
- 25 Car. 2. c. 6. Clauses for paying of extraordinary Customs by Aliens for Native Commodities exported (except Coals) repeal'd. And such Merchants shall pay for all such Merchandize exported, such Customs only as the King's natural-born Subjects.
- 10 W. 3. c. 1. No Alien naturaliz'd in *Ireland*, reputed his Majesty's Natural-born Subject. Act for disbanding the Army.
- 1 Anne, c. 14. By this Act before the Succession of the Crown of *Scotland* was settled as the Crown of *England*, Natives of *Scotland* adjudged Aliens.

See more, Merchants, Staple, &c.

Am=



## Ambassadors.

**T** Here is a Duty of 5 l. per Cent. laid by this Act on 9 & 10 W. 3.  
*East-India* Goods imported, to be paid to the General Society, for the Maintenance of Ambassadors, &c. c. 44.

This Statute prohibits Arrests of Ambassadors, publick Ministers, and their Servants; and all Processes to be void. Merchants, &c. within the Statutes of Bankrupt, not to be protected by Ambassadors. And the Names of Ambassadors Servants to be registred in the Secretary's Office. 7 Anna, c. 12.

## Amendments of Law-Processes, &amp;c.

**A** Process defective by Misprision of a Clerk, shall be amended. 14 E. 3. c. 6.

The Justices may amend it before or after Judgment. 9 H. 5. c. 4.

Made perpetual, but not to extend to *Wales*. 4 H. 6. c. 3.

No Record to be reversed for Error assigned by reason of Razing, Interlineation; &c. The Judges may reform all Defects in any Record, Process, Writ, or Return (except Appeals, Indictments of Treason, or Felony, and Outlawries thereupon) Variance between a Record; and the Certificate shall be amended by the Judges; the same of a Record, &c. exemplified or inroll'd, for Variation from the Exemplification, &c. 8 H. 6. c. 12.

The Justices may amend the Misprisions and Defaults of Clerks in Court, Sheriffs, and all other Officers, in any Process, &c. having one Syllable or Letter, &c. too much or too little. 8 H. 6. c. 15.

By this Act, upon Demurrer joined in any Court, the Judges to give Judgment, without regarding Imperfection in any Writ, &c. except it be set down as the Cause of Demurrer. And no Exception shall be taken for an immaterial Traverse, &c. Nor Omission of *Vi & Armis, contra pacem*, &c. in Indictments. Stat. 4 & 5 Anna, For Amendment of the Law.

- Warrants** The Plaintiff's Attorney to file his Warrant the Term  
**fil'd, Plead-** he declares, and the Defendant the Term he appears.  
**ing, &c.** Defendant in any Suit, or Plaintiff in Replevin, may  
 plead several Matters; but if any such Matter be insuf-  
 ficient, Costs shall be given. And upon quashing Writs  
 of Error for Defect, the Defendant to have Costs.
- Writs of** *Venire's* to be awarded of the Body of the County, but  
*Venire, Sub-* nothing to extend to Appeals of Murder, Felony, or In-  
*pena's, &c.* formation on Penal Statutes. The Courts at *Westminster*  
 may order special Writs of *Distringas*, and appoint two  
 Persons to shew Jurors their View. No *Subpoena*, &c.  
 shall issue out of any Court of Equity, till a Bill filed (ex-  
 cept Injunctions to stay Waste or Law Suits). And up-  
 on Dismission of a Bill the Plaintiff to pay full Costs.
- Scire Facias,** In Debt on single Bill, or *Sci. Fa.* upon a Judgment,  
**Bail-bonds** the Defendant may plead Payment in Bar; as he may  
**assign'd.** upon Bond, if the Debt be paid before the Action brought:  
 And also pending the Action, paying the Debt and Costs.  
 Sheriffs, &c. taking Bail, at the Request of the Plaintiff,  
 to assign the Bail-bond, &c. by Indorsement.
- Claims on** No Claim or Entry shall avoid any Fine, &c. in the  
**Fines.** Common Pleas, &c. unless an Action be commenced in  
 one Year after such Entry, &c. and prosecuted. Decla-  
 rations of Uses by Deed made after Fines or Recove-  
 ries, to be good in Law. Conveyances of Manors, Lands,  
 Reversions, &c. to be good without Attornment: But
- Attornment** Notice must be given to Tenants. Warranties made for  
**and War-** Life descending on him in Reversion or Remainder, and  
**rancies ou-** collateral Warranties by Ancestors having no Estate of  
**sted.** Inheritance in Possession, to be void against the Heir.

### Amerciaments.

- Mag. Chart.** A Freeman not to be amerced for a small Fault; and  
**c. 14.** in all Cases, proportionable to the Offence. Peers  
**9. H. 3.** to be amerced by Peers, &c.  
**Marlb. c. 18.** Chief Justices, or Justices in Eyre, to amerce for De-  
**32 H. 3.** fault of Summons.

No Place or Person to be amerced without Cause, and *Westm. 1.* according to the Trespass, &c, Freeman, &c. by their c. 6. Peers.

See more, Fines and Forfeitures.

## Apothecaries.

**A**pothecaries Wares in *London* to be searched by Physicians chosen by the College, and if they find them faulty, to cause them to be burnt and destroyed. *32 H.8.c.40. 1 M. P. 1.* Apothecaries, &c. resisting the Search, shall forfeit 5 l. *Seff. 2. c. 9.* increas'd to 10 l. by *1 M. c. 9.*

This Act exempts Apothecaries free of the Society in *6 W. 3. c. 4.* *London*, and others using the Trade of an Apothecary in *England* and *Wales*, having served seven Years Apprenticeship to it, from serving on any Juries, executing the Office of Constable, or any other Parish-Office, for so long Time as they exercise their Art.

The preceding Statute is continued by this Act for the space of eleven Years. Apothecaries to the Army, &c. *10 Ann. c. 14.* to make up their Chests of Medicines at *Apothecaries-Hall*, and to be openly view'd, under the Penalty of 40 l.

## Appeals.

**N**O Man shall be imprisoned upon the Appeal of a Woman, for the Death of any but her Husband. *Mag. Chart. c. 34. 9 H.3.*

Accessory in an Appeal not to be outlawed before the Principal is attainted. *Westm. 1. c. 14. 3 E. 1.*

Declaration in Appeal, mentioning the Fact, the Day, the Hour, King's Reign, Place, and with what Weapon; not to abate for want of fresh Suit; if sued in a Year. *Stat. Glouc. c. 11. 9 E. 1.*

False Appeals by Malice, liable to Fine, Damages, and a Year's Imprisonment. *Westm. 2. c. 12. 13 E. 1.*

If the Appellees will be tried by the County, the Sheriff shall cause an Inquest to appear. When any are appeal'd *Stat. Appeal 28 E. 1.*



peal'd by Approvers, Appeals to be brought to the Gaol to answer before the same Justices.

1 H. 4. c. 14. Appeals of Things done within the Realm, to be tried by the Laws thereof; and those out of the Realm by the Constable and Marshal.

3 H. 7. c. 1. The Wife or Heir to commence their Appeal in a Year before the Sheriff and Coroner, or Justices of B. R.

2 & 3 E. 6. c. 24. Appeals to be commenced in the County where the Party wounded shall die, as well against the Principal as Accessary; and if the Accessary be guilty in another County.

24 H. 8. c. 12. When an Appeal in an Ecclesiastical Cause is made before the Bishop or his Commissary, in fifteen Days, it may be removed to the Archbishop; and if before an Archdeacon, to the Court of Arches; and from the Arches to the Archbishop; and when the Cause concerns the King, Appeal may be brought in fifteen Days from any of the said Courts, to the Prelates assembled in Convocation.

23 H. 8. c. 9. No Person to be cited to appear out of the Diocese, except by some Ecclesiastical Person, or on Appeal, &c. on Pain of 10 l. Archbishop may cite for Heresie in any Diocese within his Province.

13 Eliz. c. 2. Suing an Appeal to Rome is made Treason by this Statute.

### Appearance.

10 H. 6. c. 4. **T**HIS Act enjoyns Filazers, &c. not to make Entry that the Plaintiff *obtulit se in propria persona sua*, unless the Plaintiff actually appear in Person, and make Affidavit he is the same Man.

18 H. 6. c. 9. The above Statute is made perpetual. And Officers to observe it under the Penalty of 40 s. Attorneys not having Warrants entred upon Record, where Process of Exigent awardable, liable to the same Penalty.

4 & 5 W. & M. c. 18. Persons outlaw'd may appear by Attorney, except for Treason or Felony, and reverse the same without Bail. And where special Bail is not required, the Sheriff is to accept an Attorney's Engagement under Hand for Appearance.

But

But where Special Bail is required, the Sheriff is to take good Security for the Appearance.

## Apprentices.

**M**aker of Worsteds, Says, &c. in *Norfolk*, to take 12 H. 7. c. 1.  
Apprentices, so as not to have above two at one Time.

None to make Mats, Coverlets, &c. in *Norfolk*, but 5 & 6 E. 6.  
those who have served seven Years Apprenticeship, or c. 24.  
who are admitted by Justices of Peace, &c.

Apprentices or Journeymen not to be restrained by a 28 H. 8. c. 5.  
Corporation from keeping Shop, under the Penalty of 40 l.

None shall be a Weaver but he who hath been seven 2 P. & M.  
Years Apprentice, on Pain of 20 l. Tanners the same, c. 11.  
except the Widow, Children, &c. And Silk Throwers  
the same, under the Penalty of 40 s. a Month.

Persons working Hats or Felts with Foreign Wool, and  
not having serv'd seven Years as an Apprentice or Cove- 8 Eliz. c. 11.  
nant-Servant, forfeit the Goods, and 5 l.

Justices of Peace to reconcile Differences between Ma- 5 Eliz. c. 4.  
sters and Apprentices, and discharge the latter, the Fault  
being in the Master, or otherwise commit the Appren-  
tice; and none which have not served seven Years, to set  
up any Trade on Pain of 40 s.

Overseers of the Poor, with the Assent of two Justices, 43 Eliz. c. 2.  
to place forth poor Children Apprentices, viz. a Man-  
Child till he is twenty-four, and a Woman-Child till  
twenty-one Years of Age, or Marriage.

Persons receiving Money with poor Apprentices, to 7 Jac. 1. c. 3.  
give Security for Repayment of it in seven Years, for the  
binding out others; Persons refusing to accept a poor  
Apprentice forfeit 10 l. Stat. 8 & 9 W. 3. c. 30.

Apprentices, &c. going into the Army, to set up their 10 & 11 W.  
Trades in any Part of the County where born, tho' they 3. c. 11.  
did not serve out their Times before their commencing  
Soldiers.

2 *Annæ, c. 6.* Two Justices of Peace, Mayors, &c. and Churchwardens, &c. with their Consent, to put out poor Boys above ten Years of Age, Apprentice to the Sea-Service; and Apprentices may be turned over to the Sea-Service.

8 *Annæ, c. 9.* This Act requires 6 *d.* in the Pound for every Pound under fifty given with Apprentices, and 12 *d.* in the Pound for all Sums given exceeding it, as a Duty to the Crown; Moneys given with poor Apprentices excepted. The Statute mentions Moneys paid or agreed for five Years in the putting out any Clerk, Apprentice, &c. made perpetual.

12 *Annæ, c. 7.* This Act which makes it Felony to steal any Goods, &c. out of a Dwelling-house, or Out-house, to the Value of 40 *s.* excepts Apprentices under fifteen.

### Approbement.

*Stat. Mortm.* **L**ords of Wastes or Commons may approve against their Tenants Part of it, so as they leave sufficient Common besides.

*c. 4. 20 H. 3.* And Neighbours as well as Tenants claiming Common of Pasture, shall be bound by it. Bounds of Approve-  
*Westm. 2. c. 46. 13 E. 1.* ment to be made good, when thrown down, &c.

The Plaintiff shall recover treble Damages upon the  
*3 & 4 E. 6. c. 3.* Statutes *supra*, These Acts not to extend to Houses built on the Waste or Common, not having above three Acres of Ground belonging to them, nor to any Garden, &c. not exceeding two Acres.

Contracts between the Lords or Commoners, of Lands  
*43 Eliz. c. 11.* subject to surrounding by Water, and Drainers of such Lands, to be good in Law: But this Act not to prejudice Ports or Havens.

Arbitration, see Affidavit.

Arms,



## Arms, Armour, Army.

**T**HE King to prohibit Force of Arms, and other Breaches of the Peace. *Stat. 7. E. 1.*

None to be charged to arm themselves, but as in former Times; nor to go out of their Counties, but when there are dangerous Enemies. *1 E. 3. c. 5.*

No Persons to appear with Force and Arms before the King's Justices, or ride armed in Affrays, on Pain of forfeiting their Armour. *2 E. 3. c. 3.*

By this Statute a Fine may be imposed. *20 R. 2. c. 13.*

Imbezilling 20 s. worth of the Royal Ordnance or Munition, to hinder the Service, &c. made Felony. *31 Eliz. c. 4.*

Armour, Gunpowder, Munition, &c. of Popish recusants Convict to be taken from them. *3 Jac. 1. c. 5.*

Iron, Armour, Muskets, Pistols, Swords, &c. may be transported: But the King by Proclamation may prohibit the Transportation of Gunpowder, or any Ammunition. *12 Car. 2. c. 4.*

By this Act it is made unlawful to import Gunpowder, Arms, &c. by way of Merchandize without the King's License. Imported otherwise to be forfeited, and treble Value. And no Person to obtain any Patent for importing Gunpowder, Arms, &c. other than for furnishing the King's Stores, under the Penalties 16 R. 2. And such Patents to be void. *1 Jac. 2. c. 8.*

This Act was made for disbanding of the Army, except 7000 Men of his Majesty's Natural-born Subjects. All Regiments in Ireland not being his Majesty's Natural-born Subjects were disbanded, and all others except 2000 Persons. Officers exercising any Authority over their Soldiers after disbanded incur a *Premunire*. But Foreign Forces hindered by contrary Winds from being transported, not liable to Penalties for continuing together. *10 W. 3. c. 1.*

Money lent on the Land-Tax, and the Malt-Act, after all the Loans, &c. are paid, to be appropriated to defray the Charges of the Army and Sea-Service, Guards and Garrisons, &c. *7 Anna, c. 8.*

Army-Debentures unclaimed, and the Stock, vested in her Majesty, for the Use of the Publick. *12 Anna, Sess. 2. c. 9.*

## Arrests.

- Westm. 1.* **N**ONE, except the King's Ministers, to arrest any Person passing through a Liberty, not holding thereof, and the Trespass, &c. done out of the Liberty.
- 6. 35. 3 E. 1.* Clerks officiating Divine Service, not to be arrested on Pain of Imprisonment.
- 50 E. 3.* Persons arrested upon Writs out of B. R. or C. B. upon which they are bailable by the Statute of 25 H. 6. c. 10. not to give Security for Appearance in any Sum above 40 l. unless the Cause of Action be express'd.
- 1 R. 2. c. 15.* Officers not to carry Persons under Arrest to any Tavern, Alehouse, &c. without their Consent; or demand more for the Arrest or Waiting, than allowed by Law, nor take more for Keeping, Lodging, &c. than is reasonable.
- 22 & 23 Car. 2. c. 2.* Writs, Warrants, &c. not to be served on the Lord's Day, except for Treason, Felony, or Breach of the Peace.
- 29 Car. 2. c. 7.* This Act which imposes a Stamp-Duty, orders that every Officer or Clerk in the Courts at *Westminster*, shall set down the Day and Year of his signing any Writ of Arrest upon such Writ, under the Penalty of 10 l.
- 9 & 10 W. 3. c. 25.* This Statute was made for raking up Prisoners (escaping out of the *King's Bench* and *Fleet*) by vertue of an Escape-Warrant, to be granted upon Oath made before a Judge of the Court where the Action is entred.
- 1 Ann. c. 6.* Persons may be arrested in pretended privileg'd Places, and the Sheriff, &c. may take the *Posse Comitatus* with them; Officers neglecting forfeit 100 l. Persons resisting the Officers forfeit 50 l. And making Rescous 500 l. to the Plaintiff. 8 & 9 W. 3. c. 27.

## Assaults.

- 5 H. 4. c. 6.* **B**Y this Statute, if any assault the Servant of a Member of Parliament, Proclamation shall be made that

he surrender himself into B. R. in a Quarter of a Year. Not doing it, to pay double Damages, and be fined.

The like Law is made with respect to any Assault made on a Member of Parliament, or of any Council, &c. 11 H. 6. c. 11.

Where there are several Defendants to any Action of 8 & 9 W. 3. Assault, &c. and one or more acquitted, the Persons so acquitted shall recover Costs of Suit; unless the Judge certify there was a reasonable Cause for making them Defendants. c. 11.

If any Person shall assault, or attempt to kill or strike a Privy Counsellor in the Execution of his Office, it is Felony without Clergy. Stat. 9 Anne.

### Assets.

**L**ands of *Castuy que Trust* liable to Executions, and Lands descending to an Heir, are Assets by Descent. 9 Car. 2. c. 3. And Goods which come to the Hands of Executors, are Assets personal.

By this Statute Trusts in Fee-simple shall be Assets to Heirs; and Sheriffs to deliver Execution, &c. of Lands whereof others shall be seised in Trust. But no Heir, chargeable by reason of any Trust made Assets, shall, by reason of any Plea, suffering Judgment, &c. pay the Condemnation out of his own Estate. 29 Car. 2. c. 3.

When Action of Debt upon a Specialty is brought against an Heir, he may plead *Riens per Disceus*, and the Plaintiff may reply, That he had Lands from his Ancestor; and if it be found for the Plaintiff, the Jury shall enquire of the Value of the Lands descended; but if the Heir confess not the Assets, there shall be no Writ of Enquiry. 3 & 4 W. & M. c. 14.

### Assise.

**A**ssises of Novel Disseisin, &c. to be taken in the proper County by Justices. Magn. Chart. c. 12. 9 H. 3.

If a Disseisor be attainted on a Novel Disseisin, the Disseisee shall recover double Damages. Westm. 1. For c. 24. 3 E. 1.



- Westm. 1. c. 25. 13 E. 1.* For Estovers of Wood, Delivery of Corn, Toll, Passage, &c. Assise of Novel Disseisin may be brought. It shall also for Common, Fishing, &c. And if the Defendant fails to make good his Exception, he shall be adjudged a Disseisor, and pay double Damages.
- Westm. 2. c. 46. 13 E. 1.* Where Common of Pasture hath been usurped during Nonage, Coverture, Tenancy by the Courtesie, &c. Action by Writ of Novel Disseisin will lie.
- Stat. 34 E. 1.* If a Plea be maliciously alledged to delay the Plaintiff, the Party shall suffer one Year's Imprisonment, and be fined. And if it be found that the Plaintiff was disseised, he shall recover Seisin and double Damages.
- 12 E. 2. c. 1.* Tenants in Assise of Novel Disseisin may make Attornies.
- 1 H. 4. c. 8.* A special Assise is maintainable, where Lands are granted by the King's Patent, before Title found by Inquest for the King.
- 4 H. 4. c. 8.* By this Statute a special Assise shall issue, where any Person makes forcible Entry into Lands.
- 9 H. 4. c. 5.* In Assises of Lands in Franchises, it shall be enquired whether the Disseisors or Tenants are truly such, and that the Names of Mayors, Bailiffs, &c. are not inserted by Fraud or Collusion; and if it shall be found to be by Fraud, the Writ shall abate, and the Plaintiff be amerced.
- 8 H. 6. c. 26.* If the Defendant make Default by Collusion, with intent that Mayors, &c. should lose their Jurisdiction, it shall be enquired into *supra*. And Mayors, &c. to have their Challenges.
- 6 H. 6. c. 2.* Indented Copies of Assises to be delivered by Sheriffs to the Plaintiffs six Days before the Sessions, and Bailiffs to make their Returns under the Penalty of 40 l.
- 11 H. 6. c. 2.* If the Sheriff be named a Disseisor by Collusion, so that the Writ is directed to the Coroner, the Writ shall abate and the Plaintiff be amerced.
- 21 H. 8. c. 3.* The Plaintiff may abridge his Complaint of any Part whereunto a Bar is pleaded.
- 16 & 17 Car. 2. c. 6.* The Days in Assise of *darrein Presentment*, &c. limited by the Statute of *Marlbridge*, and the Days given in Attaint limited by 5 E. 3. to be good, notwithstanding this Act of settling the Terms and Return-Days.

See Justices of Assise.

Attainder.

## Attaint.

**A**N Attaint is granted in Plea of Land, Freehold, or any Thing touching Freehold. *Westm. 1. c. 38. 3 E. 1.*

Writs of Attaint to be likewise granted in Pleas of Trespass, if the Damages exceed 40 s. And shall be in Plea real and personal. *5 E. 3. c. 7. 34 E. 3. c. 7.*

Reversioners to have an Attaint upon a false Verdict, &c. against a particular Tenant, who shall be restored to his Possession, and the Reversioner to the Arrearages. *9 R. 2. c. 3.*

The Plaintiff in Attaint to recover against all the Jurors, Tenants and Defendants, Costs for Delay, &c. *11 H. 6. c. 4.*

If any of the Defendants plead a groundless foreign Plea, the Justices shall give Judgment against them, but it shall not prejudice the rest. *15 H. 6. c. 5.*

Attaint may be sued by Bill in the Husbings of London, upon any false Verdict given in any of the Courts of that City. If the Petty Jury be attainted, Judgment shall be given against the Defendant as at Common Law, and against the Jury to forfeit each of them 20 l. If a Debt be recovered in the first Action, and that Verdict found false, the Plaintiff to have Restitution: But if the first Verdict be affirmed, the Plaintiff shall be imprison'd and fin'd. *11 H. 7. c. 21.*

This Statute enacts, That upon untrue Verdicts before Judges of Record, the Thing in Demand extending to 40 l. Value, Attaints shall be granted against the Petty Jury; the Processes to be Summons, Resummons and Distress infinite. The Distress to be awarded in fifteen Days before the Return; but the Defendants may plead they gave a true Verdict, &c. to bar the Attaint. *23 H. 8. c. 3.*

The Grand Jury to try the Verdict of the Petty Jury on the Attaint. Not appearing forfeit on the first Distress 20 s. the second 40 s. and the third Default 5 l. An Attaint shall lie for him in Reversion or Remainder, and also for a personal Thing under the Value of 40 l. And all Attaints to be taken in B. R. or the Common Pleas. Attainder of Criminals.

## A Second General TABLE

- 12 Car. 2. c. 30. In respect to Attaints of a Criminal Nature, this Act was made for the Attainder of several Persons guilty of the Murder of King *Charles* the First.
- 7 W. 3. c. 3. No Person to be tried or attainted of High Treason, whereby Corruption of Blood may be made, or of Misprision of Treason, but by the Oaths of two lawful Witnesses to the same Overt Act, or one to one, and the other to another of the same Treason; unless the Party confess, stand mute, &c. But a Person may be outlaw'd, and thereby attainted, if he does not come in and be tried.
- 8 W. 3. c. 4. This Act was made for the Attainder and Conviction of Sir *John Fenwick*, who was indicted of Treason on the Oaths of two Persons, but one only could be produced on his Trial, the other having withdrawn himself. The Trial was delayed at the Prayer of Sir *John*, and there was a strong Suspicion of Bribery for the second Evidence to withdraw himself.
- 8 W. 3. c. 5. This Act requires Sir *George Barclay*, Major General *Holmes* and others to surrender themselves to the Lord Chief Justice, or Secretaries of State, or to be attainted.
- 13 W. 3. c. 3. By this Act the pretended Prince of *Wales* is attainted of High Treason, and to suffer as a Traytor, &c.  
If a Principal be Convict of Felony, stand Mute, &c. the Accessory may be proceeded against, as if he was attainted. And if the Accessory stands mute, or challenges, &c. he shall suffer as if the Principal had been attainted.

## Attorneys, and Attorneys at Law.

- Merton, c. 10. 20 H. 3. Every Person that owes Suit to the County Court, Court-Baron, &c. may make an Attorney to do his Suit.
- 6 E. 1. c. 8. Attorneys may be made in such Pleas whereon Appeal lieth not.
- West. 2. c. 10. Any Person may make a general Attorney to sue in all Pleas, during the Circuit of Justices in Eyre.
- 13 E. 1. Persons departing the Kingdom with the King's License may have a Patent from the Chancellor to make general Attorneys to answer for them in Writs of *Pramunire*, &c.
- 7 R. 2. c. 14. Impotent Persons that are outlawed may make their Attorney.
- 7 H. 4. c. 13. And Persons not able to travel shall have a Writ out of Chancery to sufficient Persons to receive their Attorneys.
- 27 E. 1. c. 6.

As



As for Attorneys at Law, they are all to be examined by the Justices before inserted in the Roll. They shall swear to execute their Offices truly. And Justices to put out insufficient Attorneys, and remove those that are faulty. 4 H. 4. c. 12.

Attorneys are to enter Warrants of Attorney in every Suit on Record in Court on Pain of 10 l. 32 H. 8. c. 30.

By this Statute Attorneys are likewise to deliver in Warrants of Attorney to be entred and filed of Record, under the Penalty of 10 l. and Imprisonment. 18 El. c. 14.

Attorneys, Solicitors, &c. not to be allowed Fees to Counsel, without Tickets signed by such Counsel: and to give in true Bills to their Clients. Delaying the Client's Suit, or demanding more than Fees, and Disbursements, to pay Costs and treble Damages, and be disabled. None to be admitted Attorneys in any Court, but Persons brought up in that Court, or well skill'd; nor to be Solicitors. And no Attorney to permit another to follow a Suit in his Name, under the Penalty of 20 l. 3 Jac. 1. c. 7.

By this Act Counsellors, Attorneys, Solicitors, Proctors, &c. to take the Oaths of Supremacy and Abjuration in the Courts at Westminster, or the Quarter-Sessions, or be disabled to execute their Employments, to prosecute any Suit in Law or Equity, to be a Guardian, Executor or Administrator, incapable of a Legacy, and to forfeit 500 l. 13 W. 3. c. 6.

See more of Attorneys, Title Amendment and Appearance.

### Avowry.

**U**PON a Replevin sued, an Avowry may be made by the Lord, or Conusance by his Bailiff, &c. upon the Land without naming the Tenant, For Rents, &c. And if found for the Defendant, he shall recover such Damages and Costs, as the Plaintiff should have had if he had recovered. 21 H. 8. c. 19.

- 17 Car. 2.  
c. 7. A Writ shall issue to enquire of the Sum in Arrear, where a Plaintiff is nonsuited before Issue in Replevin, the Defendant making Suggestion in the Nature of an Avowry for Rent. And if Judgment be upon Demurrer for the Avowant, the Court shall direct a Writ to enquire.
- 19 Car. 2.  
c. 5. This Act makes the preceding Statute extend to the Counties Palatine of *Lancaster, Chester, Durham and Wales.*

## Bail.

- Westm. 1.  
c. 15. 3 E. 1. **T**HIS Act ascertains what Offenders are bailable, and what not. Murderers, Persons outlaw'd, Prison-breakers, Thieves openly defamed, Counterfeits of the King's Seal or Coin, excommunicate Persons, manifest Offenders and Traitors, are not to be admitted to Bail; but Persons guilty of Larceny, Accessories to Felony, or guilty of Suspicion only, may be bailed. Officers setting Prisoners at Liberty not bailable, to suffer three Months Imprisonment; and withholding Persons as are, to be fined.
- 3 H. 7. c. 3. Two Justices (*Quorum unus*) have Power to let to Bail till the next Sessions. If a Person indicted of Murder be acquitted, he is not to be discharged, but bail'd, for the Year, to bring an Appeal.
- 1 & 2 P. &  
M. c. 13. None arrested for Manslaughter or Felony (being bailable by Law) to be let to Bail by Justices but in open Sessions, or by two Justices present, which is to be certified with the Examination on Pain of 10 l.
- 2 & 3 P. &  
M. c. 10. Persons accus'd of Manslaughter or Felony, for want of Bail, to be examined, sent to Gaol, Accusers bound over, &c.
- 13 Car. 2. c. 2. No Person arrested by Process out of the King's Bench, or Common Pleas, where the Cause of Action is not express'd, and for which the Defendant is bailable, shall be obliged to enter into any Bond with Sureties for Appearance in any Sum above 40 l. And upon Appearance by Attorney in Term entered in Court where the Process is returnable, the Bail shall be discharged. But this Act not

not to extend to *Capias utlagatum*, Attachments upon Rescous, &c.

Persons committed for Treason or Felony upon Prayer in open Court the first Week of the Term, or Day of the Sessions, to be brought to Trial; if not indicted the next Term or Sessions, upon Motion to be let out on Bail, unless the King's Witnesses are not ready; and if not tried the second Term, &c. to be discharged. 31 Car. 2. c. 2.

The Judges of the King's Bench, or any two of them, whereof the Chief Justice to be one, the Justices of the Common Pleas, and Barons of the Exchequer, may by Commission empower Persons other than common Attornies, &c. to take Recognizances of Bail in Causes depending in their several Courts. Any Judge of Assise may take such Recognizances, &c. and Cognizors not to appear in Person in Court (unless they live in London, or within ten Miles) but to be determined by Affidavits of Commissioners. 4 & 5 W. & M. c. 4.

No Process of Outlawry at the Suit of any private Person to be staied or avoided, unless the Defendant put in Bail, &c. or satisfie the Debt, if after Judgment. Act of Pardon. 6 & 7 W. 3. c. 20.

No Person to be held to special Bail in small Actions in Wales, and the Counties-Palatine, unless the Cause of Action is 20 l. or upwards. 11 & 12 W. 3. c. 9.

Where Persons escape out of Prison, and are retaken and bail'd, the Bail shall be discharged, on a Writ to the Sheriff, commanding him to keep the Prisoner in Discharge of the Bail. 1 Anna, c. 6.

The Sheriff may assign Bail-bonds to the Plaintiff, which he may sue in his own Name. 4 & 5 Anna, c. 16.

In B. R. if the Defendant be indebted to the Plaintiff by Bill, Bond, or otherwise, to the Value of 10 l. he must put in good Bail.

## Bank of England.

**T**HIS is an Act upon Tonnage, and Beer and Ale, &c. for raising 1500000 l. for establishing the Bank of England, &c. 100000 l. per Annum arising by the Duties to be appropriated to Persons as shall make voluntary 5 & 6 W. & M. c. 20.



tary Subscriptions, and their Heirs. No Person or Body Politick to subscribe above 10000 *l.* The Corporation not to give Security for more than 1200000 *l.* Not to trade with the Stock under the Penalty of forfeiting treble Value. Judgments obtained against the Corporation, &c. to be satisfied by a Deduction out of the 100000 *l.* to be yearly paid by the Exchequer. A Member of the House of Commons may not be a Member of this Corporation.

8 & 9 W. 3. c. 19. This Act was for making good the Deficiencies of several Funds, and enlarging the Capital Stock of the Bank of *England*. It allows Foreigners as well as Natives to subscribe, to compleat the 1200000 *l.* four fifths of Subscriptions to be answered by Tallies or Orders upon the Land-Tax, &c. and Interest of 8 per Cent. allowed on the Tallies. The Capital Stock to be exempted from Taxes, to be accounted a personal Estate, and not to be sold without registering the Contract in seven Days. No Act of the Bank shall forfeit the Stock; and no Member be adjudg'd a Bankrupt by reason of his Stock. The Debts of the Bank not to exceed the Capital Stock, if it does the Overplus of Shares to satisfy them. 2 *s.* 6 *d.* is allowed for Brokage of 100 *l.* Stock, taking more to forfeit 20 *l.* To counterfeit the common Seal, Felony.

9 W. 3. c. 3. The Governor and Company of the Bank not obliged to make Dividends of the Money received by vertue of Tallies and Orders subscribed into the Capital Stock since the enlarging of it, but once in six Months.

5 Anna, c. 13. The Duties upon Houses are made chargeable with the yearly Fund of 4 *l.* 10 *s.* per Cent. per Annum; to be paid the Bank for circulating Exchequer Bills.

6 Anna, c. 32. Sums of Money call'd in by the Bank for circulating Exchequer Bills, not exceeding 1001171 *l.* 10 *s.* to be taken as Capital Stock, for capacitating Persons to be elected Governors, Directors, &c.

6 Anna, c. 22. During the Continuance of the Bank no Body Politick, &c. other than the said Company, or Partners exceeding six, to borrow Sums on Bill or Note, payable at Demand, or in any Time less than six Months.

7 Anna, c. 7. This Act reciting the former Statutes, directs, That 2201175 *l.* 10 *s.* be added to the Stock of the Bank, and new Subscribers to be incorporated with the present Members. The Stock assignable as the original Capital Stock. And the Company may discount 6 per Cent. On giving

giving twelve Months Notice, and repaying Money advanced by the Parliament, the original Fund of 1000000 *l.* *per Annum* to cease. After Payment and Redemption the Corporation to cease. Bills for two Millions and a half to issue out of the Treasury to bear Interest after the Rate of 2 *d.* *per diem* for 100 *l.* And the Bank to have Allowance of 3 *l.* *per Cent.* for the whole Sum for circulating. Money omitted to be paid in, by any of the Members, to bear Interest after the Rate of 6 *per Cent.* Bank not to pay Interest to a less Sum than 1 *d.* By this Act a Member of the Bank is not disabled to be a Member of Parliament. Deficiencies of Duties to be made good by next Aids granted by Parliament.

This Act obliges the Bank to exchange Exchequer Bills for ready Money beyond the Sum of 1900000 *l.* upon settling a Fund for Payment of 45000 *l.* *per Annum* for Interest, &c. And for discharging and cancelling the Bills, &c. 9 Ann. c. 7.

This Act was made for redeeming several Funds of the Governor and Company of the Bank of England, and securing new Funds, and obliging the Bank to advance a further Sum not exceeding 2,500,000 *l.* at 5 *l.* *per Cent.* Redeemable likewise by Parliament on giving a Year's Notice, &c. 3 Geo.

## Bankrupts.

THE Lord Chancellor, Treasurer, &c. to take Order with a Bankrupt's Body, Lands and Goods. 34 H. 8. c. 4.

Persons exercising any Trade, departing the Realm, concealing themselves, or suffering themselves to be falsely arrested to defraud Creditors, deemed Bankrupts. The Lord Chancellor upon a Complaint in Writing against a Bankrupt to appoint Commissioners to sell the Bankrupt's Lands, as well Copy as Free, Annuities, Goods, Chattels, Debts, &c. Commissioners have Power to convene Persons suspected to have any of the Bankrupt's Effects. Persons refusing to disclose, or detaining Lands, &c. to forfeit double the Value. If the Person indebted absent himself after five Proclamations by Commissioners, to be out of the King's Protection, and Persons concealing him

to be imprison'd and fin'd. The Creditor not satisfied, may afterwards take his Course at Law.

1 Jac. I. c. 15. By this Statute a Creditor shall be received if he comes in, in four Months. Grants of Lands, &c. in other Mens Names, except to Children upon Marriage, or for valuable Consideration, void. If upon Warning left at the usual Place of Residence, three times, the Bankrupt do not appear, five Proclamations to be made, &c. Refusing to be examined, shall be committed. Committing Perjury to 10 l. Prejudice of Creditors, to stand in the Pillory. Persons suspected to detain any of the Estate, not appearing, to be arrested; and still refusing, to be committed. Commissioners may assign Debts, &c. to the Creditors; and proceed to Execution, though the Bankrupt dies. Commissioners to render the Bankrupt an Account, and pay Overplus, &c.

21 Jac. I.  
c. 19.

Trading Persons and Scriveners getting Protection, except of Members of Parliament, Persons endeavouring to compel Creditors to take less than their Due, or to gain Time beyond six Months, the Debt being 100 l. and the Debtor arrested, or after Arrest lying in Prison six Months, and escaping, &c. adjudged Bankrupts. Bankrupt's Wife to be examined on Oath. Bankrupt fraudulently concealing to stand on the Pillory. Commissioners may break open Bankrupt's House, Chests, &c. Another Man's Goods in the Bankrupt's Possession to be distributed. No respect to be had to Debts upon Judgment, Recognizances, or Specialties, beyond other Debts.

13 & 14

Car. 2. c. 24.

9 & 10 W.

3. c. 44.

4 & 5 Anna,

c. 17.

Adventurers in the *East-India* or *Guinea* Company; and no Member of any Society or Company to be adjudged a Bankrupt, in respect of his Stock; and the Stock not liable to foreign Attachment.

Bankrupts not submitting to be examined thirty Days after Notice, and not discovering how they have disposed of their Goods, and all Books, Papers, &c. and delivering up to the Commissioners all such Estate, &c. except their Wives and Childrens necessary wearing Apparel, to suffer as Felons. Lord Chancellor may enlarge the Time for surrendering to sixty Days. Commissioners to send for Persons, &c. not appearing or refusing to be sworn, to be committed. On Certificate of the Commissioners the Bankrupt to be apprehended. Persons conforming to be allowed 5 l. per Cent. not exceeding 200 l. if Estates pay 8 s. in the Pound. Persons concealing Estates in Trust



Trust to forfeit 100 l. Persons discovering Bankrupts Estate to be allowed 3 l per Cent. No Advantage to Bankrupt giving above 100 l. in Marriage with Children, unless at the Time they could satisfy their Debts.

Bankrupts removing, concealing, or imbezilling any Monies or Effects to the Value of 20 l. guilty of Felony. Commissioners to assign to such as shall be chosen by the major Part of the Creditors. Assignees before appointed refusing to assign over to them, to forfeit 100 l. Assignees, or the major Part of them to compound with Debtors. No Commission of Bankrupt to be issued out, unless the Debt of one Creditor petitioning amount to 100 l. or the Debt of two Creditors amount to 150 l. or of three amount to 200 l. And Bond to be given in 100 l. Penalty to prove the Party a Bankrupt. Receivers General of Taxes, &c. to have no Benefit of these Acts.

The Descriptions of a Bankrupt in the Act 21 Jac. 1. being prejudicial to Trade, this Statute makes all Descriptions of Bankrupts void. But no Sale of Estates to be impeach'd.

## Bargains and Sales.

BY this Statute no Estate of Inheritance in Lands, created by Bargain and Sale is good without Inrollment in one of the Courts at Westminster, or in the County before the Custos Rotulorum, &c. in six Months. But Terms of Years will pass by Bargain and Sale without Inrollment.

Deeds inroll'd, Recoveries, &c. taken before Officers in Corporations to remain in Force.

Bargains and Sales in the County of Lancaster inrolled within six Months in the Chancery there, or before the Judges of Assize, and in Durham and Chester, to be effectual, as if inrolled at Westminster.

The Day of the Month and Year of the Inrollment of Recognizances to be set down in the Margin of the Roll; and no Recognizance to bind Lands, but from the Time of Inrollment.

6 *Annæ*,  
c. 35.

Bargains and Sales inrolled by the Register in the East Riding of the County of York, and Copies, to be allowed as good Evidence. And in all Deeds of Bargain and Sale of Inheritance, the Words *Grant, bargain and sell*, shall be adjudged an expresse Covenant.

See Grants.

### Baron and Feme.

9 H. 3. c. 34. **T**HE Wife only to have Appeal for the Death of her Husband.

32 H. 8. c. 28. This Statute enacts, That Leases made by Tenant in Tail, &c. shall be good against the Lessors, their Wives and Heirs. Leases of the Wife's Land to be made by Husband and Wife; and the Husband not to alien during the Coverture, but by Fine, wherein his Wife joins. See Leases.

32 H. 8. c. 2. A Husband's Lease of the Wife's Inheritance is good against him and his Heirs, but it binds not her unless she be Party, &c.

11 H. 7. c. 20. If a Woman having an Estate in Dower, or in Tail, or to herself only, of Lands of the Inheritance or Purchase of her Husband, &c. make Discontinuance, or suffer a Recovery by Covin, it shall be void, and the Heir may immediately enter.

3 Jac. c. 4. Married Women Convict of Recusancy forfeit two Parts of their Jointure or Dower, and disabled to be Executors to their Husbands.

### Bastardy.

Merton, c. 9. **A** Child born before Marriage is a Bastard.

20 H. 3. Two next Justices (*Quorum unus*) to take Order for Punishment of the Mother and Father, and for Relief of the Parish by a weekly Payment. The Father and Mother not obeying the Order to be imprisoned without Bail.

Justices

Justices of Peace may send to the House of Correction 7 Jac. 1. c. 4.  
for one Year lewd Women having Bastards that may be  
chargeable.

It is Murder for a Woman to conceal the Death of 21 Jac. 1.  
her Bastard-Child. c. 27.

Justices in Corporations, &c. to put Acts in Execution 3 Car. 1. c. 4.  
as Justices in the Counties.

Where a Bastard is born, the Churchwardens may 13 & 14  
seize Goods or Profits of Lands of the putative Father CAR. 2. c. 12.  
and lewd Mother, to discharge the Parish by Order of  
two Justices.

Bastard of a Person able to keep it, not within the Sta-  
tute. 18 Eliz.

### Beer, &c.

**F**OR every six Ton of Beer exported, the same Cask, 35 Eliz. c. 11:  
or Timber fit to make Cask, to be imported. The  
same Law for Strangers transporting Fish in Cask. None  
to transport Wine-Cask with Beer, &c. except for victu-  
alling under the Penalty of 40 s. a Ton.

It is lawful to export Beer, Ale or Mum paying 1 s. 22 & 23  
per Ton Duty. But not shipping off in the Presence of a CAR. 2. c. 13.  
sworn Gauger to forfeit 100 l.

This Act continues the Duties on exporting Beer, and 1 W. & M.  
inflicts a Penalty of 50 l. for every Barrel, and Forfeiture Sess. 1. c. 22.  
of Liquors, for shipping off and landing contrary to  
22 & 23 Car. 2.

### Bigamy.

**B**igamy not to be tried by Inquest, but by Certifi- 18 E. 3. c. 2.  
cate from the Ordinary.

*Bigamus* being a Felon, to have Clergy; but this was 1 E. 6. c. 12.  
ousted by Statute *De Bigamis*, 4 E. 1.

A *Bigamus* to suffer Death as a Felon, unless no No- 1 Jac. 1. c. 11.  
tice that the Wife was living in seven Years.



### Bills and Notes, &c.

9 & 10 W. 3. c. 17. **I**Nland Bills of Exchange after Acceptance, and Refusal of Payment in three Days, to be protested, and Notice given to the Drawer, &c. in fourteen Days.

3 & 4 Anne, c. 9. **P**romissory Notes for Payment of Money to a Person or Bearer to be good in Law, and assignable over as Inland Bills of Exchange; and the Person to whom assign'd or endors'd, &c. may maintain an Action against the Assignors and Endorsors. If a Person on whom an Inland Bill of Exchange is drawn, refuse to accept it, it is to be protested; and no Drawer to pay Costs or Interest without such Protest; but no Acceptance to charge any Person, unless the Bill be indors'd or underwritten. If a Bill be accepted and not paid in three Days after due, it is likewise to be protested. But no Protest shall be necessary, unless the Bill be drawn for Value receiv'd, and for 20 l. at least. Nothing in this Act to discharge any other Remedy.

7 Anne, c. 25. The Statute *supra* is by this Act made perpetual.

### Bishops, Benefices, &c.

1 E. 3. c. 2.

**T**HE King not to seise into his Hands the Temporalities of Bishops.

14 & 25 E. 3.

Temporalities of Bishops not to be seised into the King's Hands, but on just Cause; and not for a Contempt, which is only finable. Escheators to preserve from Waste, Archbishopricks and Bishopricks during their Vacation.

35 H. 8. c. 12.

The Convocation to be assembled by the King's Writ, and Ordinances to have the King's Assent. No Canons to be executed repugnant to the Prerogative; and no Appeals to Rome; but Appeals from the Archbishop's Court, to be to the King and Chancery, and determined by Commissioners.

No Man to be presented to the See of Rome for the Dignity of a Bishop, &c. but Election to be by the King's *Conge d' eslire*, or Licence to elect the Person named by the King. If the Dean and Chapter fail to make Election, the King to nominate, &c. by Letters Patent. And the Dean and Chapter not doing it in twenty Days incur a *Premunire*. An Archbishop is to be invested and consecrated by an Archbishop and two other Bishops, or by four Bishops; and a Bishop by the Archbishop of the Province, or any other in a Vacation. 25 H. 8. c. 20.

The Archbishop of *Canterbury* may grant Dispensations to the King, and Licenses to all others. Religious Houses exempt from Visitation of the Archbishop, under Visitation of the King by Commission. Abbeyes, &c. not to pay any Pensions to the See of Rome, nor accept any Dispensation, &c. from thence. The King with the Advice of his Council may reform Indulgences. 25 H. 8. c. 21.

Bishops to be charged with the Collection of all Tenths, and make Payment to the Treasurer of the King's Chamber. If the Tenths be not paid in forty Days after Demand, the Incumbent (after Certificate by the Bishop) to be deprived; and the Bishop shall be acquitted of what is unpaid. 26 H. 8. c. 3.

The Bishop to present two Persons to be his Suffragans, whereof the King shall allow one, who by Letters Patent shall be presented to the Archbishoprick. 26 H. 8. c. 14.

This Statute ousted the Writ of *Conge d' eslire*, and empower'd the King to collate to an Archbishoprick or Bishoprick absolutely by Letters Patent. And all Process Ecclesiastical to be in the King's Name; but this Statute was repealed by 1 M. c. 2. 1 E. 6. c. 2.

By this Act all Bishops are confirmed.

The Book of Common Prayer and Sacraments by this Statute are confirmed, and also the Consecration of Bishops, &c. 1 & 2 P. & M. 8. 8 Eliz. c. 1.

Estates made by Bishops of the Church Lands, and Leases, &c. of College Lands, to be made for 21 Years, or three Lives, and the accustomed yearly Rent reserved. Leases may be made on the Surrender of former Terms, &c. 1 & 13 Eliz.

Deprivations of Bishops &c. declared lawful.

39 Eliz. c. 8.

- 12 Car. 2. This Act was made for restoring Ecclesiastical Persons  
 c. 17. dispossess'd by Oliver.  
 1 W. & M. No Assembly for religious Worship to be allowed till  
 1 Sess. 1. c. 18. the Place of Meeting is certified to the Bishop of the  
 Diocese, or Justices of Peace in Quarter-Sessions.  
 6 Ann. c. 27. Bishops are allowed four Years for Payment of their  
 First-Fruits.  
 12 Ann. c. Persons keeping Schools or Seminaries without a Li-  
 cense from the Bishop, receiving the Sacrament of the  
 Church of England, and taking the Oaths, &c. except  
 Tutors of Youth in reading, Writing, &c. to be com-  
 mitted to the Common Goal for three Months.

See more of Bishops, &c. Appeals, Residency, &c.

### Blackwell-Hall.

- 8 & 9 W. 3. THE publick Market of Blackwell-Hall to be held  
 c. 9. every Thursday, Friday and Saturday. Factors sel-  
 ling Cloth out of the Market to forfeit 5 l. Hall-keep-  
 ers, Clerks, &c. not keeping weekly Registers of Cloths  
 bought and sold, to forfeit likewise 5 l. Factors selling  
 Cloth on Trust, and not transmitting to the Owners, the  
 Buyer's Note for the Money in twelve Days, liable to for-  
 feit double the Value. And Factors not accounting on  
 Request of Clothiers to forfeit 10 l.

### Books, Booksellers and Authors.

- 25 H. 8. c. 15. NONE to buy Books brought from beyond Sea to  
 sell again, under the Penalty of 6 s. 8 d. a Book.  
 Unreasonable Prices of Books to be qualified by the Lord  
 Chancellor, and two Chief Justices, &c.  
 3 & 4 E. 6. By this Act popish Books were abolish'd.  
 c. 10. Persons bringing from beyond Sea, printing, selling or  
 3 Jas. 1. c. 5. buying popish or superstitious Books, &c. to forfeit 40 s.  
 a Book.

This



This Act was made for preventing the Printing of 13 & 14  
treasonable Books, &c. unlicensed, and for regulating *Car. 2.c. 33.*  
Printing, and was reviv'd and continued by 4 & 5 W. &  
M. &c. but is now expired.

These Statutes appoint a Custom on Books imported, 4 & 5 W. & M.  
&c. 8 & 9 W. 3.

Authors of Books already printed, and the Copies not 8 *Ann. c. 19.*  
transfer'd, and Booksellers, &c. who have already pur-  
chased, to have the sole Right of Printing for twenty-  
one Years; and Authors of Books not yet printed, to  
have such Right for fourteen Years. Persons reprinting,  
or importing any Book printed within those Times, without  
Consent, to forfeit the Books to the Proprietor, and 1 d.  
for every Sheet in Possession. But these Penalties not in-  
flicted, unless the Title of the Book be entred in the Re-  
gister of the Stationers Company. Clerk refusing to en-  
ter forfeits 20 l.

Archbishop of *Canterbury*, Lord Chancellor, Bishop of  
*London*, Chief Justices, and Chief Baron, &c. on Complaint  
to reform unreasonable Prices of Books; and after No-  
tice in the *Gazette*, Bookseller selling at a greater Price  
than ordered, to forfeit 5 l. Nine Copies of Book entred  
at *Stationers Hall* to be delivered for publick Libraries.  
Importation of Books printed beyond Sea in Foreign  
Languages not hindred. After the End of fourteen  
Years, the Right of Printing, &c. to return to the Au-  
thors for the like Term.

The Stamp-Duty on Books and Pamphlets is a Half-  
penny for every Half-sheet; larger than half a Sheet, and  
not exceeding a Sheet, 1 d. Books larger than a Sheet,  
and not six Sheets in Octavo, twelve Sheets in Quarto,  
or twenty Sheets in Folio, 2 s. for every Sheet in the  
Copy, Books of Devotion, Votes of Parliament, Bills of  
Mortality, &c. excepted. The Penalty for not stamping  
is 10 l. and publishing before Duty paid 20 l. subject to  
Mitigation, not under a fourth Part. 10 *Ann. c. 19.*

Brass,

## Brass, Pewter, &amp;c.

- 19 H. 7. c. 6. **B**Rass to be sold in open Fairs and Markets, on Pain of 10 l. to be work'd according to the Goodness of Metal wrought in London, or be liable to Forfeiture and using false Weights, to forfeit 20 s. Searchers of Brass and Pewter likewise to be appointed in every City, &c.
- 4 H. 8. c. 7. By this Statute Brass Ware defective to be forfeited.
- 25 H. 8. c. 9. Tin or Pewter Wares not to be sent out of the Realm, on Pain of Forfeiture; and Officers to search and make Seizures, &c. Pewterers not to teach their Trades to Foreigners.
- 33 H. 8. c. 4. This Statute makes the Act 25 H. 8. perpetual, and inflicts a Penalty of 5 l. for resisting the Search of Brass, Tin, &c.
- 33 H. 8. c. 7. Conveying out of the Realm, Brass, Copper, Bell Metal, &c. (except Tin and Lead) to forfeit double Value.
- 2 & 3 E. 6. This Act adds the Penalty of 10 l. for every thousand Weight, besides double the Value for transporting Brass, &c. But Metal made of English Oar may be exported, by the Statute 5 & 6 W. & M. c. 17.
- 4 & 5 W. & M. c. 5. For Brass wrought imported there is a Duty of 5 l. per Cent.
- 9 & 10 W. 3. Brass, Copper, &c. to be spun upon Thread, and not Silk, on pain of 5 s. per Ounce. And no Thread made of Copper, Brass, &c. or Wire wrought, to be imported on pain of Forfeiture.
6. 39.
- 7 Anne, c. 8. Exportation of British Copper and Brass Wire to pay no Duty.

**Brewers.**

**B**rewers putting their Drink in a Vessel not mark'd by a Cooper to forfeit 3 s. 4 d. a Barrel. And not selling at reasonable Rates appointed by Justices, for every Barrel 6 s. Kilderkin 3 s. 4 d. Firkin 2 s. and 10 s. for a larger Vessel. 23 H.8.c.4.

The Duty by this Act for every Barrel of Beer above 6 s. Value is 1 s. 3 d. and under, 3 d. By 1 W. & M. 9 d. for every Barrel of Beer, &c. above the Value of 6 s. 8 d. was added. These Duties were granted to King William and Queen Mary for their Lives, and the additional Duty of 9 d. per Barrel for Ninety-nine Years, &c. Brewers to make an Entry at the Excise-Office once a Week of Liquors brewed under the Penalty of 10 l. Brewers to be allowed three Barrels in twenty three for Leakage. 12 Car. 2. c. 23.

Brewers altering Coolers, Fatts, &c. without Notice 50 l. Forfeiture, encreas'd to 200 l. by 8 & 9 W. Obstructing Search 20 l. Keeping a private Store-house, &c. 50 l. Penalty, and opposing a Gauger 50 l. by Statute 8 & 9 W. 15 Car. 2. c. 11.

Keeping a private Pipe under Ground forfeits 100 l. 7 & 8 W. 3. Refusing an Officer Entrance into the Brewhouse, 20 l. not permitting him to taste the Drink on the Dray 5 l. Not telling the Gauger how much Ale intended to be brewed 20 s. per Barrel; encreasing it afterwards 5 l. per Barrel. Mixing small with strong the same Penalty; carrying Wort out of the Brewhouse before the whole is brewed 40 s.

Obstructing Search for private Pipes, Penalty 100 l. 10 & 11 W. 3. Bribing a Gauger 10 l.

**Bridges.**



## Bridges.

22 H. 8. c. 5. **F**OUR Justices in Sessions to hear and determine Annoyances of Bridges; and to charge such as shall repair; and when it cannot be known who ought to repair, the County, &c. liable to be tax'd.

The Justices to call before them the Constable or two able Persons of every Parish, and with their Assent make a Tax; and to appoint Collectors, Surveyors, &c.

22 Car. 2. c. 12. Justices of Peace in *Cheshire, Lancashire, &c.* upon Presentment in the Quarter-Sessions, to cause new Bridges in Highways to be erected, &c.

1 Ann. c. 18. The Quarter-Sessions upon Presentment that a Bridge is out of Repair, to assess every Town and Parish; the Money to be levied by the Constables, and paid to High Constables, who are to remit it to Treasurers, &c. appointed by the Justices. Persons refusing to collect or pay the Money, &c. forfeit 40 s. Treasurers paying Money without Order of Sessions to forfeit 5 l. Collectors, &c. of the Tax to be allowed 3 d. per Pound.

## Briefs.

4 & 5 Ann. c. 14. **K**ing's Printer to deliver out printed Copies of Briefs. One of the Commissioners to indorse his Name on the Copies; then they are to be sent to Wardens of Churches and Chapels, Preachers of separate Congregations, &c. the Wardens and Ministers to indorse the Time they receive them. In two Months the Ministers, &c. to read the Briefs, and Churchwardens to collect, &c.

The Sum collected, Place and Time to be indors'd in Words at length, and sign'd by the Minister and Churchwardens, &c. who are to deliver to the Undertakers of dispersing the Brief, the Brief and the Moneys collected under the Penalty of 20 l. Undertakers not demanding the Brief and Money in six Months liable to the same Penalty. The Undertaker to enter in a Book the Number

ber of Briefs, &c. and if the whole Number not returned, to forfeit 50*l*. Undertakers to account before a Master in Chancery. Persons agreeing to purchase the Benefit of a Brief to forfeit 500*l*.

### Brokers.

**W**rongful Sale of Goods by Brokers in *London*, &c. 17*af*. 1. c. 21, not to alter the Property. And Brokers not discovering such Goods received by them on Request of the Owner, to forfeit double Value.

Brokers, &c. taking for Brokage above 5*s*. for 100*l*. to forfeit 20*l*. 12*Car*. 2. c. 13.

Broker selling Bullion or molten Silver, not being a Goldsmith to be imprison'd six Months. 6 & 7*W*. 3. c. 17.

Brokers not to take above 2*s*. 6*d*. for the Brokage of 100*l*. under the Penalty of 20*l*. increas'd to 2*s*. 9*d*. for buying and selling Tallies, &c. by Statute 10 *Anna*, c. 19. 8 & 9*W*. 3. c. 32.

Brokers in *London*, &c. to be licensed by the Lord Mayor, who is to give them an Oath, and take Bond of 500*l*. Penalty for faithful executing their Offices, &c. The Number of Brokers to be one hundred. And if any Person shall act, not being thus admitted, to forfeit 500*l*. and Persons employing him 50*l*. Brokers to register Contracts, &c. on pain of 50*l*. and taking above 10*per Cent*. to forfeit 10*l*. Brokers to carry about them a Silver Medal having the King's Arms, the Arms of the City, and their Names on the Sides on pain of 40*s*. and not to deal for themselves under the Penalty of 200*l*. and be incapacitated. Brokers of Tallies and Funds to be licensed by the Lords of the Treasury, acting otherwise to forfeit 500*l*.

Brokers, &c. employing any Person to act under them, not being admitted by the Lord Mayor, and licensed, to forfeit 25*l*. 6 *Anna*, c. 16.

Buggery.

## Buggery.

25 H. 8. c. 6. **B**Y this Statute Buggery is made Felony without Benefit of Clergy, and Justices of Peace had Power to hear and determine, &c. This Act extends to Women as well as Men.

2 W. & M. c. 10. And by this Act Buggery with Man or Beast, Rapes, &c. were excepted out of the general Pardon.

## Burglary.

24 H. 8. c. 5. **I**F any Person be indicted for the Death of one attempting to commit Burglary, &c. he shall be acquitted.

3 & 4 W. & M. c. 9. Taking away Goods in a Dwelling-house, any Person being therein, or breaking any Shop or Warehouse thereunto belonging in the Day-time, and taking away Goods, &c. to the Value of 5 s. no Person being therein, is Burglary, and Offenders not to have Clergy.

10 & 11 W. 3. c. 23. By this Statute stealing Goods in a Shop, Warehouse, Coach-house, &c. privately to the Value of 5 s. though no breaking, in the Night or Day, and Persons assisting, excluded Clergy. Persons apprehending such Burglars exempt from serving Parish-Offices. A Burglar discovering two more to have his Pardon.

5 Anne, c. 31. Persons taking Burglars, and prosecuting them to Conviction, to have a Reward of 40 l. If they are kill'd, their Executors or Administrators shall have it, to be paid by the Sheriff; and Persons committing Burglary, discovering two others who were concerned in such Burglaries, to be entitled to the 40 l. Reward, and a Pardon.

12 Ann., c. 7. Persons stealing Money or Goods in a Dwelling-house or Outhouse, to the Value of 40 s. though the same be not broke open, and though any Person be or be not there, guilty of Burglary.



## Burials.

**P**Opish Recusants to be buried in the Church or Church-yard, and according to the Ecclesiastical Laws, under the Penalty of 20 l. 3 Jac. 1. c. 5.

No Corps to be buried, or Coffin lin'd with any Thing but Sheeps Wool on pain of 5 l. The Penalty to be levied by Justice's Warrant. Affidavits to be made of such burying in eight Days, and Registers to be kept by the Ministers, &c. No Penalty incurr'd for Persons dying of the Plague. 30 Car. 2. c. 3.

Where no Justice of Peace, Parsons, Vicars, &c. not of the same Parish may take Affidavits. 32 Car. 2. c. 1.

Parsons, Vicars, Curates, &c. to give Notice in ten Days of Burials of Persons from other Parishes, on pain of 5 l. 7 & 8 W. 3. c. 39.

By the Statute of 6 & 7 W. 3. a Duty was granted on Burials, Births and Marriages. For Burial of a Duke 50 l. and so down to 10 s. according to Persons, Qualities and Estates, a common Person 4 s. For Birth of a common Person 2 s. for a Duke's Son, &c. 30 l. and so descending to 10 s. For Marriage of a common Person 2 s. 6 d. a Duke 50 l. and so down to 10 s. And Batchelors above twenty-five to pay 1 s. yearly.

## Butchers.

**B**Utchers selling Swines-flesh meased, or dead of the Murrain, to stand in the Pillory, &c. Stat. 7 E. 2.

The Mayor, &c. of London, may redress Defaults of Butchers, &c. as they do such as sell Ale and Beer. 31 E. 3. c. 10.

Butchers, &c. conspiring to sell their Meat at certain Prices, to forfeit 10 l. for the first Offence, 20 l. for the second, and 40 l. for the third, or stand on the Pillory. 2 & 3 E. 6. c. 15.

Butchers not to kill Meat in their scalding Houses, or within the Walls of London, &c. under the Penalty of 1 s. an Ox, and 8 d. for another Beast. 4 H. 7. c. 3.

Butchers

- 3 & 4 E. 6. Butchers not to buy Cattle to sell again, on pain of  
c. 19. Forfeiture.  
17 Jac. 1. c. 22. And not to use the Trade of a Tanner under the Pe-  
nalty of 6 s. 8 d. a Day.  
15 Car. 2. c. 8. This Statute inflicts a Forfeiture of double the Value  
on Butchers selling Cattle, &c. alive.  
5 Anne, c. 2. Butchers selling in London, or within ten Miles, fat  
Cattle or Sheep alive or dead, to forfeit the Value.  
7 Anne, c. 6. The Act 5 Anne not to extend to selling Calves, Lambs,  
or Sheep, dead, from one Butcher to another.

### Butter and Cheese.

- 18 H. 6. c. 3. **B**utter and Cheese may be conveyed to any Place out  
of the Realm, in the King's Amity, without License  
3 & 4 E. 6. Selling Butter otherwise than by Retail in open Shop,  
c. 21. &c. to forfeit double Value.  
21 Jac. 1. Justices of Peace in Sessions may restrain retailing of  
c. 32. Butter and Cheese.  
13 & 14 By this Statute the Kilderkin of Butter to contain 112,  
Car. 2. c. 26. Pounds, the Firkin 56, the Pot 14, and corrupt Butter  
not to be mix'd with good, &c. on pain to forfeit double  
Value, and six times the Value of what is wanting. Re-  
packing Butter for Sale to forfeit double Value.  
22 Car. 2. All Persons may transport Butter, Cheese, &c. though  
c. 13. they exceed the Prices in the Act of Tonage and Pound-  
age, paying 1 s. per Barrel Poundage, and 4 d. for a hun-  
dred Weight of Cheese.  
4 & 5 W. & Buyers of Butter to set their Marks on Casks, and if  
M. c. 7. afterwards they are opened, other Butter put in, &c. in-  
curs a Forfeiture of 20 s. for every Firkin, Warehouse-  
keepers, Skippers, &c. refusing to receive and ship But-  
ter, &c. to forfeit 10 s. a Firkin of Butter, and 5 s. for every  
Weigh of Cheese. Masters of Ships not taking on Board,  
half those Penalties.

Buttons.

## Buttons.

**F**oreign Buttons made of Hair, or other Foreign Buttons, not to be imported on pain of Forfeiture, and 100 *l.* importing, and 50 *l.* selling. 4 & 5 W. & M. c. 10.

Buttons not to be made of Cloth, Stuff, or Wood, under the Penalty of 40 *s.* a Dozen payable by Taylors setting them on, and Sellers, &c. 10 W. 3. c. 2.

By this Act making or using, &c. Buttons or Button-holes of Serge or other Stuff, &c. incurs a Penalty of 5 *l.* for every Dozen. 8 Ann. c. 6.

## By-Laws.

**B**y-Laws may be made by Corporations for good Government, by their Charters or Prescription; but to have the Approbation of Lord Chancellor, Chief Justices, &c. on pain of 40 *l.* if against the publick Good, the King's Prerogative, &c. 19 H. 7. c. 7.

Commoners, &c. may make By-Laws, and the Consent of the major Part shall bind the others. 8 E. 3. Tenants in Court-Baron may make By-Laws by Prescription.

## Cables.

**M**aking Cables of old Materials which contain seven Inches in Compass, to forfeit four times the Value; and tarring Cordage of old Stuff of less Size, treble Value. 35 Eliz. c. 8.

**Carriers**



## Carriers and Carriages.

- 3 & 4 W. & M. c. 12. **C**arriers taking more for Carriage of Goods than as  
5 l. less'd by Justices in the Quarter-Sessions to forfeit  
6 Ann. c. 19. Carriages to be drawn with no more than six Horses,  
(except for carrying Hay, Straw, Coal, Timber, Am-  
munition, &c.) on pain of 5 l.  
1 Geo. c. 10. This Act obliges Carriers not to draw with more than  
five Horses in Length, under the Penalties *supra*; which  
is agreeable to 22 Car. 2. the first Statute made on this  
Head. A Statute made 7 & 8 W. 3. fix'd it to eight Horses  
and Oxen in Pairs.

## Cattle.

- 3 & 4 E. 6. **C**attle to be bought in open Fair or Market, and not  
e. 19. sold again in the same Fair, on pain of Forfeiture.  
2 & 3 P. & M. Sess. 2, 3. To every sixty Sheep, and ten Beasts, one Milch Cow  
18 Car. 2. c. 2. is to be kept by Graziers, &c. on pain of 20 s.  
20 Car. 2. c. 7. Importation of Cattle dead or alive declared a common  
Nuisance, and the Cattle liable to Forfeiture.  
Any Inhabitant may seize Cattle imported; Parishers  
neglecting to seize to forfeit 100 l. and Vessels to be like-  
wise seized.  
22 Car. 2. But any Person may transport Horses, Cows, Swine,  
e. 13. &c. paying the Duties.  
22 & 23 Factors, &c. selling Cattle for others, not to buy fat  
Car. 2. c. 19. Cattle other than Swine or Calves, in eighty Miles of  
London on pain of Forfeiture. Justices of Peace to license  
Drovers. Cattle bought in *Smithfield* Market, brought  
into the same again to be sold, to be seized for the Use of  
the Mayor. Compounding for Offences, to forfeit 20 l.  
1 Jac. 2. c. 17. The above Act is continued, but not to extend to Fac-  
tors, &c. of Farmers.  
5 Ann. c. 2. This Act continues the last mentioned.  
See more, *Forefallers*.

Certiorari.

Challenge of Jurors

**Certiorari**

**N**O Writ sued forth to remove an Action to be allowed, unless it be delivered to the Judge or Officer of the Court before the Jury appear.

Process of the Peace not to issue out of the Chancery or B. R. but by Motion; and on shewing good Cause. And no *Certiorari* to be allowed, unless the Indicted be come bound with Sureties to pay Costs after Conviction, &c.

No Writ to remove a Suit from an inferior Court to be obeyed, unless delivered to the Stewards, &c. before Issue joined; and no Suit to be removed by Writ, where the Thing in Demand exceedeth not 5 l.

If a *Certiorari* be allowed to remove Proceedings relating to destroying of Game, 50 l. Security to be given, & M. for Payment of Costs.

No *Certiorari* to be granted out of B. R. for Removal of an Indictment before Justices of the Peace, at the Quarter-Sessions, before Trial, unless Motion be made in open Court, and the Party indicted find Security by two Persons in 20 l. each, to plead to the Indictment B. R. &c.

**Cessavit.**

**I**F a Fee-Farmer cease to pay his Rent two Years, the Lessor may bring a *Cessavit*, and recover the Land. And the Heir of the Demandant may maintain a *Cessavit* against the Heir or Assign of the Tenant.

E 1

Challenge

### Challenge of Jurors.

- Stat. 33 E. 1.* IF one challenge a Juror, he shall assign the Cause, and if he alledge not a good Cause, the Inquest to be taken.
- 33 H. 8. c. 23.* Peremptory Challenge not to be admitted in Cases of Treason.
- 4 & 5 W. & M. c. 24.* Challenge may be had to Jurors not having 10 l. a Year of Freehold, &c. And in *Wales* 6 l. *per Annum*.
- 1 Anne, c. 9.* Principal Convict of Felony standing mute, or challenging peremptorily above twenty Jurors, the Accessary to be proceeded against as if Principal attainted.

### Champerty.

- 33 E. 1.* ONE convicted of Champerty to be imprison'd for three Years, and fin'd.
- 28 E. 1.* Persons not to take upon them a Suit with Intent to have Part of the Thing sued for, or give up a Right to another, on pain of forfeiting the Value.
- 33 E. 1.* Attorneys, Stewards, &c. taking a Plea or Suit of Champerty, to be fined, and suffer three Years Imprisonment.
- 32 H. 8. c. 9.* None to buy pretended Right to Land, unless the Seller hath taken the Profits a Year, on pain of forfeiting the Value; and none shall retain any Person for Maintenance, embrace Jurors, &c. under the Penalty of 10 l.

### Chancery.

- 28 E. 1. c. 5.* THE Court of Chancery and B. R. to follow the King.
- 36 E. 3. c. 9.* Persons aggrieved with any Statute have Remedy in Chancery.



This Statute orders that one publick Office be kept *Stat. Car. 2.* near the Rolls, for the Masters in Chancery, where they are to attend; Tables of Fees to be set up, and Masters receiving more than their just Fees, to be disabled, and forfeit 100*l.*

Commissioners appointed to execute the Office of Lord *1 W. & M.* Chancellor or Lord Keeper, to have the same Authority *c. 21.* and Privileges as the Lord Chancellor, and to take Place next after the Peers, and Speaker of the House of Commons. One Commissioner may hear Motions, &c. but not make Decrees.

No *Subpoena* or Process to issue out of the Court of *4 & 5 Anna,* Chancery, till a Bill filed and a Certificate thereof, *ex- c. 16.* cept in Injunctions to stay Waste or Suits at Law, and upon Dismission of the Bill, the Plaintiff to pay full Costs tax'd by a Master.

Persons under the Age of twenty-one may convey Lands on a hearing of all Parties in Chancery, and an Order made; and may be compelled by Mortgagors, Persons for whom the Infant is in Trust; such Persons, a Guardian, &c. first petitioning. *7 Anne, c. 19.*

### Chester.

**T**HIS Statute enacts, That where Murder or Felony *1 H. 4. c. 18.* is committed by an Inhabitant of the Palatinate of Chester in another County, Process shall be made to the Exigent where the Offence was done; and if he then fly into *Cheshire*, the Outlawry to be certified to the Officers there.

Justices of Peace and Gaol-Delivery in *Chester*, &c. to *27 H. 8. c. 5.* be nominated by the Lord Chancellor.

By this Act the Sessions for the County of *Chester* to be *32 H. 8. c. 43.* kept twice in the Year at *Michaelmas* and *Easter*.

No Writ of Protection to be granted in the County- *34 H. 8. c. 13.* Palatine.

Recognizances of Statutes Merchant to be acknow- *2 & 3 E. 6.* ledged, and Fines levied before the Mayor of *Chester* for *c. 31.* Lands lying there. *43 Eliz. c. 15.*

Exchequer-Court of the County-Palatine of *Chester*, *16 & 17* Court of the Duchy of *Lancaster*, and Courts for the *Car. 1. c. 15.* President and Council in the Marches of *Wales*, &c. dissolved.

Church and Churches, Service, &c.

- Stat. 35 E. 1.** Parson not to cut down Trees in the Church-yard, unless for Repair of the Chancel, &c.
- 21 H. 8. c. 13.** Not to have Plurality of Church Livings without a Qualification or Dispensation.
- 1 E. 6. c. 1.** None to speak contemptuously of the Holy Sacrament, on pain of Imprisonment, and Ministers to give the Sacrament to all Persons desiring it, without lawful Cause to the contrary.
- 2 & 3 E. 6. c. 1.** Ministers to use the Church-Service, according to the Book of Common Prayer, under the Penalty of forfeiting their Benefices, and six Months Imprisonment.
- 5 & 6 E. 6. c. 1.** Every Person to repair to his Parish Church every Sunday. And being present at any Form of Prayer used contrary to the Book of Common Prayer, to suffer six Months Imprisonment for the first Offence.
- 5 & 6 E. 6. c. 4.** No ill Language to be used, or Noise made in Church-yards; and Persons striking others there to be excommunicated and lose one of their Ears.
- 1 M. Sess. 2. c. 3.** Disturbing a licensed Minister. Offenders to be imprison'd for three Months. And disturbing a Minister incur a Forfeiture of 20 l. by Stat. 1 W. & M.
- 1 El. c. 2.** Ministers using any Form of Church-Service, but such as is mentioned in the Book of Common Prayer, 5 & 6 E. 6. or Lessons not appointed for Sundays, the Litany, &c. to forfeit for their first Offence a Year's Profit of their Livings, and suffer six Months Imprisonment; for the second to be deprived, &c. Persons depraving the Book of Common Prayer by Rhimes, Interludes, &c. to forfeit 100 Marks, or be imprison'd six Months. Persons not resorting to their Parish Churches every Sunday to forfeit 1 s.
- 23 Eliz. c. 1.** Persons not repairing to Church according to the Statute of 1 Eliz. to forfeit 20 s. per Month; but this relates to Popish Recusants. Others absenting from Church 1 s. for every Default; Persons retaining Servants, &c. who do not come to Church in a Month to 4 s. 3 d. c. 4. And School-masters absenting from Church, or not allowed by the Bishop, 10 s. a Month.

Ministers in every Cathedral and Parish-Church to say 3 Jas. 1. c. 1.  
Morning Prayer and give Thanks on the 5th of November  
yearly, and all Persons to resort to Church on that Day.  
And by 12 Car. 2. c. 14, & 30. the 30th of January, and  
the 29th of May, are directed to be celebrated, the former  
as a Day of Fasting and Humiliation, and the latter as a  
Day of Thanksgiving.

Ministers to use the Administration of the Sacra- 13 & 14  
ments, and publick Prayers, with the Additions and Car. 2. c. 4.  
Alterations now made by the Convocation. Mini-  
sters to declare their Assent. To subscribe the Declara-  
tion. And those resident on Livings to read the Service  
once a Month on pain of 5 l. No Person to admini-  
ster the Sacrament before he is ordained Priest, under  
the Penalty of 100 l. The thirty-nine Articles to be sub-  
scribed; and Lecturers, Preachers, &c. to be licensed by  
the Archbishop or Bishop. Persons disabled preaching, two  
Justices, &c. may commit for three Months. The Book  
of Common Prayer to be provided for the Church in  
every Parish under the Penalty of 3 l. a Month. Pro-  
fane Dissenters exempted from Penalties by 1 W. & M.

Parsons marrying People without publishing the Banns, 7 & 8 W. 3.  
or License, forfeit 100 l. &c.

For completing of St. Paul's, and repairing Westminster 8 & 9 W. 3.  
Abbey, this Act grants a Duty of 1 s. per Chaldron e. 14.  
on Coals. A sixth Part of the Fund to be appropriated  
for Westminster Abbey. The Archbishop of Canterbury,  
Bishop of London, Lord Mayor, &c. Commissioners.

The Duty is increased to 2 s. per Chaldron by this Act, 1 Anne, c. 12.  
The Church-yard to be enclosed, and Persons building  
thereon, except for the Use of the Church, declared a  
common Nuisance.

Statutes used in the Government of Cathedral and 6 Anne, c. 21.  
Collegiate Churches since the Restoration, founded by  
King Henry VIII. to be good and valid. But her Ma-  
jesty may alter, or make new Statutes for settling Visi-  
tations.

This Act imposes a Duty of 2 s. per Chaldron on Coals 9 Anne, c. 21.  
for eight Years for the building fifty new Churches in or  
near London and Westminster, &c. Commissioners to be  
appointed, who may purchase Lands, ascertain Bounds,  
&c. Rectors to be appointed by the Crown, who may



take Lands of 200 *l.* per Annum. First Churchwardens and Vestry-men, &c. to be elected by the Commissioners, who may make Division of Parishes. Ecclesiastical Jurisdiction under the Bishop of London.

12 Ann. c. 17. This Act was made for vesting the waste Ground near the Maypole in the Strand in Commissioners for building a new Church.

12 Ann. c. 4. Large Wastes or Commons in the West Riding of the County of York, with the Consent of Lords of Manors, Freeholders, &c. to be inclosed, a sixth Part for the Benefit of Clergymen, whose Livings do not exceed 40 *l.* a Year, to be settled in Trustees, who may grant Leases for twenty-one Years, &c.

12 Ann. c. 12. Curates licensed by the Bishop to be appointed by him a Stipend not exceeding 50 *l.* nor less than 20 *l.* a Year according to the Value of the Living, to be paid as he shall think fit by the Rector or Vicar. And the same on

43 El. c. 2. any Complaint made.

### Churchwardens.

**B**y this Statute Churchwardens to be nominated yearly in Easter Week. And by 1. Jac. 1. they are chosen by the joint Consent of the Minister and Parishioners. They are to see that the Parishioners come to Church of a Sunday, and levy the 12 *d.* for every Offence; and 3 *s.* 4 *d.* for Persons in Alehouses of a Sunday, &c. present Offences. Repair the Church. And by the Statutes 3 Car. 1. and 13 & 14 Car. 2. Churchwardens, &c. have Power to set up Trades for employing the Poor; to place out poor Apprentices for settling, &c. of poor Persons. Churchwardens to fix Fire-Cocks, keep Engines, &c. A Corporation of Goods, &c. See Titles Fire and Poor.

See more of Church, Adowlsong, Dilapidations, &c. Chaplains, see Residence.

Westm. 1.

3 E. 1. c. 2.

### Clergy.

**C**lerks Convict of Felony not to be enlarged without Purgation. Clerks

Clerks convict of Felony, &c. to be delivered to the 25 E. 3. c. 4.  
Ordinary.

Benefit of Clergy to be allowed but once. Persons 4 H. 7. c. 13.  
Convict to be mark'd with a hot Iron openly before the  
Judge upon the Brawn of the left Thumb.

No Persons guilty of Petty Treason, Murder, Rob- 23 H. 8. c. 1.  
bery, &c. to have Clergy (except Clerks in Orders) the  
Ordinary may degrade a Convict, after which Judgment  
may pass, and he be executed.

A Convict within Orders to remain with the Ordinary 23 H. 8. c. 11.  
without Purgation.

This Statute enacts, That Persons in Orders shall re- 28 H. 8. c. 1.  
ceive no other Benefit of Clergy than other Persons.

All Felons to have Benefit of Clergy, except for Mur- 1 E. 6. c. 12  
der, Poysoning, Burglary, Robbery, Horse-stealing or  
Sacrilege. This Act not to extend to Treason, Petty  
Treason, &c. A Peer to be admitted, though he cannot  
read.

Accessaries before the Fact found guilty of Petty Trea- 4 & 5 P. &  
son, Murder, Burglary, Robbery, &c. not to have M. c. 4.  
Clergy.

Taking Things feloniously in private from the Person 8 Eliz. c. 4.  
of another, not answering directly, standing mute, chal-  
lenging above twenty, not to have Clergy. One admit-  
ted to his Clergy to answer for former Offences.

None to have Clergy that commit Rapes; an Offender 18 Eliz. c. 7.  
admitted to his Clergy, and burnt, not to be delivered  
to the Ordinary, but to be enlarged by the Justices.

Taking away a Woman against her Will, having 39 Eliz. c. 9.  
Lands or Goods, &c. not to have Clergy. This Act  
extends to Procturers and Accessaries.

Clergy not to be allowed to Persons stealing any Thing 39 El. c. 15.  
out of a Dwelling-house or Out-house to the Value of 5 s.

Stabbing a Person not having a Weapon drawn, if he 1 Jac. 1. c. 8.  
dies in six Months, ousted of Clergy; except in Cases of  
*se defendendo*; &c.

Persons convicted of Invocation of evil Spirits, or con- 17 Jac. 1. c. 12.  
sultring any such, or of taking up any dead Person, &c.  
using Witchcraft, &c. and laming any Person, is Felony  
without Benefit of Clergy; undertaking to tell where  
Goods lost may be found, provoking unlawful Love, &c.  
one Year's Imprisonment, &c.

In Felony where a Man may have his Clergy, the Wo- 21 Jac. 1. c. 6.  
man to be burnt in the Hand.

Persons

- 22 Car. 1. c. 5. Persons cutting or carrying away Cloth from Tenters, or stealing any of the King's Stores to the Value of 20 s. not to be allowed Clergy. But the Court may reprove and transport them to the Plantations.
- 3 & 4 W. & M. c. 28. Breaking any Shop or Warehouse, &c. and stealing to the Value of 5 s. no Person being therein, excluded Clergy; and Persons stealing Goods let to them in Lodgings, &c. is made Felony, and Buyers and Receivers of stolen Goods, Accessories.
- 10 & 11 W. 3. c. 23. By this Statute, for stealing Goods from a Shop, Warehouse, &c. privately to the Value of 5 s. tho' no breaking, Clergy is taken away.
- 1 Anne, c. 9. Felony without Clergy to destroy Ships to the Prejudice of the Owners.
- 5 Anne, c. 6. Persons burnt in the Hand for Theft or Larceny to be sent to the House of Correction for not less than six Months, nor above two Years. Persons having the Benefit of Clergy, not required to read, but to be punished as a Clerk Convict.
- 4 Geo. 4. c. 4. Persons Convict of Felony, Larceny, &c. within the Benefit of Clergy, to be sent to the Plantations for seven Years instead of being burnt in the Hand, &c.
- 
- Clerk of the Market.**
- 13 R. 2. c. 4. Clerk of the Market of the King's House, to cause false Weights and Measures to be burnt.
- 16 R. 2. c. 3. Clerks of the Market to have Weights and Measures with them when they make Essay of Weights, &c. mark'd according to the Standard of the Exchequer.
- 16 Car. 1. c. 19. To be one Weight and Measure throughout the Realm on pain of 5 s. Clerks of Markets of the King's or Prince's Household, only to execute their Offices within the Verge; and Head Officers to act in Corporations, &c. Sealing Weights not agreeable to the Standard, refusing to seal, or taking greater Fees than allowed, 5 l. Penalty.
- 12 Car. 2. c. 8. Clerks of Markets refusing to mark or seal Measures, being required, &c. to forfeit 5 l. for the first Offence, and for every other Offence 10 l. A Measure of Brass to be



be chain'd to every Market-place ; and Toll to be taken in Proportion to such Measures.

If excessive Toll be taken in a Market-Town, by the Lord's Consent, the Franchise to be seized. 3 E. 1. c. 31.

## Clerk of the Peace.

Clerks of the Peace, Clerks of the Crown, &c. to 34 & 35  
certifie into the King's Bench the Tenor of every H. 8. c. 14.  
Indictment, Outlawry, &c. within forty Days, under  
the Penalty of 40 s.

The *Custos Rotulorum* to appoint the Clerk of the Peace, 37 H. 8. c. 1.  
who may execute by Deputy.

The Clerk of the Peace to write and enter the Licenses, 5 El. 2. c. 12.  
and Recognizances of Badgers, &c. granted in Sessions.

Clerks of the Peace and Town-Clerks to deliver to the 22 & 23  
Sheriff within twenty Days after *Michaelmas* yearly, an Car. 2. c. 22.  
Estreat of all Fines, &c. under the Penaky of 50 l. con-  
cealing any Indictment, Fine, &c. or miscertifying, to  
forfeit treble Value, and be disabled.

Clerks of the Peace misdemeaning themselves, the Ju. 1 W. & M. c. 21.  
stices of Peace in Quarter-Sessions to discharge them ; and Sess. 1. c. 21.  
the *Custos Rotulorum* to chuse others resident in the County,  
or on Default the Quarter-Sessions to appoint. No *Custos*  
*Rotulorum*, &c. to sell the Place of Clerk of the Peace, on  
pain of forfeiting double Value of the Sum given, and  
both disabled to enjoy their Places.

Clerks of the Peace, &c. not to take above 2 s. for 10 & 11  
drawing any Bill of Indictment against a Felon, under W. 3. c. 21.  
the Penalty of 5 l. Drawing defective Bills, to draw  
new ones *Gratis* under the like Penalty.

The *Custos Rotulorum*, two Justices of Peace, and the 3 Geo. c. 18.  
Clerk of the Peace, to inroll Deeds of Bargain and Sale of  
Lands of Papists. And the Clerk of the Peace to register  
their Estates, &c. not taking the Oaths.

Clerk

### Clerks of the Signet.

27 H. 8. c. 11.

**C**lerks of the Signet and Privy Seal to take for Warrants passing the Seals, the Fees following, viz. for a Warrant upon a Bill for *Tales* or Reward 12 *d.* For a Warrant for the Gift of any Office, 20 *d.* For a Warrant for a Pension, Annuity or Wages, 20 *d.* For the Warrant of a special Livery or Perpetuity, 6 *s.* 8 *d.* For a Warrant upon every Bill for a *Conge d'estier*, Donation, Presentation, &c. 3 *s.* 4 *d.* For a Warrant upon a License, Pardon, &c. 2 *s.* Warrant upon a Denization, 3 *s.* 4 *d.* Warrant for keeping of an Ideot, 20 *d.* &c. And Clerks taking more for writing such Warrants to forfeit 10 *l.*

### Cloth and Clothiers.

12 E. 3. c. 3.

**N**O Cloths made beyond Sea to be brought into the King's Dominions on pain of Forfeiture.

5 &amp; 6 E. 6. c. 6.

Faulty Cloths expos'd to Sale, to be forfeited.

c. 6.

Cloth-Weavers not to take Apprentices, but such whose Parents have 3 *l.* per Annum Freehold, on pain of 40 *s.* per Month. Clothiers Servants to be imprisoned departing without giving a Quarter's Warning, or refusing to serve for Statute Wages.

39 El. c. 20.

Justices, &c. to appoint Searchers of Cloth yearly, who refusing to officiate, to forfeit 5 *l.* and not making a Search once a Quarter to forfeit 10 *l.* Searchers to fix Seals, others doing it without Warrant, liable to the same Penalties. Searchers may enter Houses, to search for Engines used to stretch Northern Cloth, Persons opposing them to forfeit 10 *l.* Clothiers using Engines to forfeit 20 *l.*

7 Jac. 1. c. 7.

Spinsters, &c. imbezilling or detaining any Wool from Clothiers, &c. to make Satisfaction, or be whip'd and put in the Stocks. Increas'd to double Value by Stat. 1 Anne,

Broad

Broad Cloths to contain the Quantity mentioned in 10 *Ann.*, the Seals, or the Seller to forfeit a sixth Part. Millmen *c.* 16. refusing to fix Seals, and others defacing or counterfeit- 1 *Geo.* *c.* 17. ing, &c. to forfeit 20 *l.* Cloths not to be stretch'd above one Yard in twenty in Length. And Clothiers to pay Work-people in Money, under the Penalty of 40 *s.*

See Wool.

## Coaches.

**C**oachmakers Wares to be search'd by Persons ap- 1 *Jac.* 1. pointed by the Sadlers Company. *c.* 22.

Eight hundred Coaches and two hundred Chairs to be 5 *W. & M.* licensed in *London* and *Westminster*. Persons driving with- 6. 22. out License to forfeit 5 *l.* a Chair 40 *s.* Commissioners 9 *Ann.* *c.* 23. licensing above the Number, 100 *l.* Fare allowed is 10 *s.* 1 *Geo.* *c.* 57. per Day for a Coach; 1 *s.* 6 *d.* the first Hour, and 1 *s.* the Hours after, or 1 *s.* for a Mile and four Furlongs, and 1 *s.* 6 *d.* for two Miles. A Chair is 1 *s.* a Mile. Refu- sing to go for Fare forfeit 40 *s.* But by 1 *Geo.* it is made not exceeding 3 *l.* nor under 10 *s.* Coachmen to have Numbers to their Coaches, on pain of 5 *l.* On Sundays one hundred seventy-five only to ply: Driving on that Day without being appointed to forfeit likewise 5 *l.* None but licensed Coaches to ply at Funerals under the like Penalty.

## Coals.

**K**EELS in the Port of *Newcastle* to be measured by 9 *H.* *c.* 10. Commissioners, before Carriage of Coals, on pain of Forfeiture.

The Sack of Coal to contain four Bushels of clean 7 *E.* 6. *c.* 7. Coal.

See



- 16 & 17  
Car. 2. c. 2. Sea Coals brought into the River *Thames* and sold, to contain thirty six Bushels heap'd the Chaldron; and one hundred and twelve Pounds the Hundred, on pain of forfeiture. The Lord Mayor, &c. may set Rates or Prices upon Coals sold by Retail. Retailers refusing to sell at those Rates, Officers may enter Wharfs, &c. by Force, and make Sale at the Rates appointed.
- 30 Car. 2. c. 8. Commissioners to be appointed by the King for measuring and marking of Keels, Boats, Carriages, &c. for Coals in *Newcastle*. Keels, &c. carrying Coals before measur'd and mark'd to be forfeited, with the Coals; removing or altering Marks to forfeit 10 l.
- 1 Jac. 2.  
c. 15. This Statute lays a Duty of 1 s. 6 d. per Chaldron on Coals in *London* for finishing the Cathedral of *St. Paul's*; Moneys to be applied by the Archbishop of *Canterbury*, the Bishop of *London*, and the Lord Mayor.
- 2 W. & M.  
Sess. 2. c. 17. English Ships trading in Coals may be mann'd with Foreigners during the War.
- 6 & 7 W. 3.  
c. 18. Coals imported to pay 5 s. per Chaldron Duty, and Culm 1 s. and Coals sold by the Tun 5 s. per Tun; to be paid at the Place of Importation. Two Mariners allowed to every hundred Tun of Shipping Press-free, pressing them to forfeit 10 l. Nine Ships of War to convey the Coal Trade.
- 9 & 10 W. 3.  
c. 13. This Statute takes off the Duties *supra*, and imposes a Duty of 5 s. per Tun, or 7 s. 6 d. per Chaldron for Coals sold by Measure, to be paid by the Importer for Coals brought from *Scotland*, or other Parts beyond Sea. For Coals laid on Board in English Ports 3 s. 4 d. per Tun and 5 s. per Chaldron, and 1 s. per Chaldron for Culm ship'd in this Kingdom.
- 6 Anna. c. 22. Coal exported in Foreign Bottoms to pay 10 s. per Chaldron, in British Bottoms only 3 s. per Chaldron.
- 8 Ann. c. 4. This Act grants an additional Duty of 3 s. per Tun, and 4 s. 6 d. per Chaldron, for Foreign Coals, and 3 s. per Chaldron for Water-born Coals, appropriated to a Lottery.
- 17 Anna. c. 6. Welsh Coals, &c. exported to *Ireland*, &c. to pay 1 s. per Chaldron; to the Plantations, 2 s. Coals imported from foreign Parts, 2 s. per Tun, and 3 s. per Chaldron; carried from Port to Port, 1 s. 4 d. per Tun, and 2 s. the Chaldron. Granted for thirty-two Years.

Contracts between Coal-owners, Masters of Ships, &c. for restraining the buying of Coals, &c. are void; and Parties to forfeit 100 l. Factors 50 l. Masters of Vessels 20 l. Certificates to be made of Lading, &c. for false ones to forfeit 10 l. Selling Coals for other Sorts than they are, to forfeit 50 l. Not above fifty laden Colliers to continue in the Port of *Newcastle*, &c. on pain of 50 l. Work-people in the Mines not to be employed who are hired by others, under the Penalty of 5 l.

This Act grants a Duty of 1 d. per Chaldron for Coals and Culm, and 3 d. for every Ton of Shipping coming into the Port of *London* (except those Colliers, Fishing-vessels, &c.) for the Repair of *Dagenham* Breach.

### Coin.

BY this Statute Merchants are prohibited from trafficking with Money, and importing clipt Coin, &c. on pain of Forfeiture.

Gold or Silver Plate or Coin not to be exported without License on pain of Forfeiture. Search to be made for false Coin imported.

Money not to be impair'd in Weight or Allay.

No Coin to be current but the King's own, and any Person may refuse Foreign Coin.

Foreign Coin not to be current in *England*, but to be melted down.

Coin or Plate found in the Custody of Persons ready to pass the Seas, or in any Ship, to be forfeited to the King.

This Statute first made it Treason to clip or file Money.

Gold to be received in Payment by the King's Weight.

Mint-master to keep to his Allay, and receive Silver at the true Value on pain of double Damages.

Coins of Gold and Silver to continue current notwithstanding some of them are crack'd or worn; but not if they are clipt. Moneys clipt to be exchanged at the Mint. Coin transported to *Ireland* above 6 s. 8 d. or *Irisb* Coin imported above 3 s. 4 d. to be forfeited. A Circle to be made round the Outside of Money.

Half.

- 14 & 15 H. 8. c. 12. Halfpence and Farthings to have Stamps; and when the Bullion is under 100 l. the Owner to have a tenth Part in Halfpence.
- 14 El. c. 3, 4. Counterfeiting, impairing, &c. of Coin, or Foreign  
18 El. c. 1, 7. Coin made current, is made High Treason. See more Title Treason.
- 13 & 14 Car. 2. c. 31. Silver Coin melted down, to be forfeited, and double Value.  
18 Car. 2. c. 5. Gold and Silver delivered into the Mint, to be assay'd, coined and delivered out according to the Order and Time of bringing in. A Duty of 10 s. per Tun on Wine, Beer, &c. and 20 s. for Brandy imported granted for the Expence of Coinage; which is not to exceed in Officers, &c. 3000 l. per Annum.
- 25 Car. 2. c. 8. This Act directs the levying of the Duties *supra*, &c. and the Act 18 Car. 2. revived and continued by 1 Jac. 2.
- 3 & 5 & 12 c. 7. These Acts continue the two former.  
W. 3.
- 4 & 5 W. & M. c. 16. Refusing to receive crack'd Money in Payment, to forfeit 5 l.
- 6 & 7 W. 3. c. 17. Advancing unclipt Money to forfeit 10 l. for every 20 s. Buying or selling Clippings or Filings 500 l. Penalty. Persons melting Coin to be imprisoned six Months besides Forfeiture, &c. Persons apprehending Money-Coins, Clippers, &c. to have 40 l. Reward, and guilty Persons discovering two others to be pardoned, &c.
- 7 W. 3. c. 1. This Act was made for calling in the Coin. The Commissioners of the Treasury to cause the clipt Money in the Exchequer to be told and weigh'd, and the same to be melted down and recoin'd; all the new Money when coined to be brought to the Exchequer, and Deficiencies to be made good at the publick Charge. Receivers General of Taxes, Tellers in the Exchequer, &c. are required to take clipt Money being Sterling Silver. In every 100 l. weight to be coined, 40 l. to be Shillings, and 10 l. Sixpences, under the Penalty of 20 l. in the Master of the Mint. Guineas not to be received at a higher Rate than 26 s. on pain of 20 l. and no Persons obliged to receive them at that Rate.
- 7 & 8 W. 3. c. 19. Persons bringing Plate to the Mint to be coined not to pay for Coinage, but to have the same Weight of Money delivered out. Persons keeping publick Houses to have no manufactur'd Plate but Spoons. Molten Silver or Bullion not to be ship'd off without a Certificate from the



the Lord Mayor, that Oath hath been made it is Foreign Bullion, under the Penalty of 200 *l.* and Officers may seize the Bullion as forfeited. Gold or Silver not exceeding 200000 *l.* may be exported by the King's Licence. Guineas not to go for more than 22 *s.*

Hammer'd Silver Coin brought to the Mint, to be received at 5 *s.* 4 *d.* per Ounce. Receivers of Taxes, &c. to receive Money at 5 *s.* 8 *d.* per Ounce till such a Time, afterwards at 5 *s.* 2 *d.* only. Coin not clipt within the innermost Ring, to be received in Tale, and not by Weight. 8 *W.* 3. c. 2.

Moneys received by the Mint, &c. at 5 *s.* 4 *d.* per Ounce, and 5 *s.* 8 *d.* per Ounce, to be delivered back to the Bringers in, and Receivers, &c. to be paid into the Exchequer with an Allowance of the Deficiency in re-coining, Silver Plate, &c. to contain eleven Ounces and ten Penny-weight of Fine Silver in every Pound, and to be mark'd with the two first Letters of the Worker's Name, on pain of Forfeiture. Plate received at 5 *s.* 4 *d.* per Ounce to be melted down. 8 & 9 *W.* 3. c. 7, 8.

This Statute makes it High Treason to make any Stamp, Dye, Mold, &c. for Coining, except by Persons employed in the Mint, &c. Conveying such out of the Mint the same; colouring Metal resembling Coin like Gold or Silver, or marking it on the Edges, is likewise Treason; and mixing blanch'd Copper with Silver, to make it heavier, and look like Gold, or receiving or paying counterfeit mill'd Money is Felony. 8 & 9 *W.* 3. c. 26.

Hammer'd Silver Coin may be refused in Payment as not being the lawful Coin of this Kingdom. 9 *W.* 3. c. 2.

Any Person may cut, break or deface Pieces of Silver Money suspected to be Counterfeit, or diminished otherwise than by wearing; but if they appear to be good Money, &c. shall stand to the Loss. 9 & 10 *W.* 3. c. 21.

No Person to make or coin any Farthings or Half-pence, or Pieces to go for such, of Copper, under the Penalty of 5 *l.* for every Pound-weight. 9 & 10 *W.* 3. c. 33.

By this Act the Lord Treasurer is impower'd to issue out of the Moneys arising by the Coinage-Duty, the Sum of 500 *l.* above the Sum of 3000 *l.* allowed yearly for the Use of the Mint. 4 & 5 *Ann.* c. 22.

This Statute makes perpetual; and continues 18 *Car.* 2. c. 5. for seven Years. 7 *Ann.* c. 24.

On a Scarcity of Silver Coin, for Remedy Guineas were sunk to 21 *s.* by Proclamation. 3 *Geo.*

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### Common Pleas.

- 9 H. 3. c. 11. **T**HE Common Pleas not to follow the Court, but to be held in some Place certain.  
 28 E. 1. Nor be holden in the Exchequer.  
 2 E. 3. c. 11. The Common Bench not to be removed without warning by Adjournment.
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### Constable and Marshal.

- 1 H. 4. c. 14. **A**ppeals of Things done out of the Realm, to be tried by the Constable and Marshal of *England*.  
 8 R. 2. c. 5. Constable and Marshal not to have Cognizance of Suits which ought to be discuss'd at Common Law.  
 13 R. 2. c. 2. The Constable of *England* hath Cognizance of Things concerning Arms and Wars.
- 

### Constables of Hundreds, &c.

By Stat.  
 Winch. 1.  
 13 E. 1.

**C**onstables of Hundreds were appointed; and by the Common Law they might put a Man in the Stocks who broke the Peace, arrest or imprison one, beating or maiming another, &c. And by the Statutes their Office relates to Affrays, Alehouses, Arms, Arrests, Carriages, Cattle, Cloth and Clothiers, Conventicles, Customs, Deer-stealing, Dissenters, Distress, Drunkenness, Excise, Felons, Forcible Entry, Game, Gaming, Gaols, Hawkers, Hedge-breakers, Highways, Horses, Hue and Cry, Inns, Juries, Labourers, Land-Tax, Malt, Measures, Militia, Orchards, Physicians, Plague, Popish Recusants, Riots, Robbery, Rogues, Sabbath, Servants, Soldiers, Swearing, Tithes, Tobacco, Vagrants, Watch, Warrants, Wreck, &c. And their Business is chiefly levying of Penalties, Commitments, &c. by Order of Justices of

of Peace. They may plead the general Issue, and give the special Matter in Evidence for any Thing done in their Office.

## Conventicles.

**T**HIS Act was made to prevent and suppress Con- 16Car.2.c.4.  
venticles; but it is expired.

Persons of the Age of sixteen, being Subjects, present 22Car.2.c.1.  
at any Conventicle, where there are five or more assembled, to be fined 5 s. for the first Offence, and 10 s. for the second; Persons preaching, 20 l. &c. And suffering a Meeting to be held in a House, &c. 20 l. Penalty. Justices of Peace, &c. may break and enter such Houses, and seize Persons assembled. Constables, &c. not informing Justices, to forfeit 5 l. And Justices neglecting their Duty 100 l. Protestant Dissenters exempt from Penalties. But if they meet in a House with the Doors 1 W. & M.  
lock'd, barr'd or bolted, such Dissenters to have no Benefit from 1 W. & M. c. 18.

Officers in the Government, &c. present at any Con-  
venticle at which there shall be ten Persons, though the 10 Ann. c. 2.  
Liturgy be used, if the Royal Family be not prayed for in express Words, shall forfeit 40 l. and be disabled.

See more, Religion.

## Convocation.

**T**HE Convocation are not to assemble but by the  
King's Writ, and their Ordinances to have the 25 H. 8.  
Royal Assent.



- 8 H. 6. c. 1. And by this Statute the Clergy call'd to the Convocation, are to have the same Liberties and Privileges for themselves and Servants, &c. as Members of Parliament.

See more, Bishops.

### Coopers.

- 23 H. 8. c. 4. **C**oopers to mark their Vessels with their own Marks, on pain of 3 s. 4 d. A Beer-Barrel to contain thirty-six Gallons, Kilderkin eighteen, and a Firkin nine. Ale Barrels thirty-two Gallons, Kilderkin sixteen, and Firkin eight. And not to inhanse Prices on pain of 3 s. 4 d. Diminishing a Vessel the same Penalty.
- 8 Eliz. c. 9. Coopers to sell their Vessels at such Rates as shall be appointed by Justices, Mayors, &c. under the Penalty of 3 s. 4 d.

### Cordwainers, Tanners, &c.

- 27 H. 8. c. 14. **T**HIS Statute directs Packers to be appointed for Leather to be transported; and Toll-takers, &c. packing Leather otherwise, the Goods forfeited; and sworn Packers wrong packing to forfeit 5 l.
- 5 & 6 E. 6. c. 3. No Person to ingross Leather to sell again on Pain of Forfeiture; and Girdlers, &c. currying Leather in their Houses to forfeit the same.
- 1 M. c. 8. No Leather-Buyer to sell the same again for Transportation on pain of Forfeiture.
- 18 Eliz. c. 9. This Statute prohibits shipping of Leather, or Rams Hides (except Scotch Hides) on pain of Forfeiture, and treble Value.
- 17 J. 1. c. 22. None shall gash any Hides; nor buy any rough Hides or Calves-skins in the Hair, but Tanners, under the Penalty of Forfeiture; and no Person shall forestall Hides, under the Penalty of 6 s. 8 d. a Hide. Tanners overliming Hides, &c. raising them for soal Leather, to forfeit

feit them. Leather not to be sold before search'd and seal'd on pain of forfeiting 6 s. 8 d. a Hide, &c. Leather not sufficiently tann'd to be forfeited. Shoemakers to make their Shoes, &c. of sufficient Stuff on pain of 3 s. 4 d. Masters and Wardens of Shoemakers Company in London, and Mayors, &c. to appoint Searchers, &c. on pain of 40 s. Triers to be likewise appointed. Searchers allowing insufficient Wares to forfeit 40 s. Taking above 2 d. every ten Hides, &c. 20 l. Curriers, &c. to sell their Wares in open Shop, Fair or Market, on pain of Forfeiture. Officers of the Customs not using their Endeavours to prevent Transportation of Leather, to forfeit 100 l.

Transporters of Leather to forfeit 500 l. but Calveskins, &c. Leather made into Boots, Shoes, &c. may be transported. Red tann'd Leather to be brought into open Leather-Markets and search'd and seal'd before expos'd to Sale, on pain of Forfeiture, and Contracts to be void. Master and Wardens of the Curriers Company may enter, search for, and seize Leather prohibited to be used by 1 Jac. 1. 13 & 14  
Car. 2. c. 7.

This Statute allows the Transportation of Leather into Scotland, Ireland, or other Foreign Parts, paying a Duty of 1 s. for every hundred Weight. And is continued by 1 Jac. 2. c. 13. 7 & 8 W. 3. and 1 Anne, c. 13. 20 Car. 2.  
c. 5.

Hides, &c. adjudged the Ware and Manufacture of the Currier, and subject to Search, &c. All Persons dealing in Leather may buy tann'd Leather search'd in open Market; and any Person may buy or sell Leather Hides or Skins by Weight. 1 W. & M.  
c. 33.

One of these Statutes lays a Duty on Hides; 9 & 10 Ann. and the other inflicts a Penalty of 50 l. for removing tann'd Leather before it be mark'd by an Officer, &c.

## Corn.

**N**ONE but married Persons, Housekeepers, &c. to be Badgers, Buyers or Transporters of Corn, &c. nor such without License from Justices, under the Penalty of 5 l. neither may they buy Grain out of open Market without special Words in the License. 5 Eliz. c. 12:

- 3 *Car. 1. c. 4.* Corn may be transported to States in Alliance, when Wheat exceeds not the Price of 31 s. Rye 20 s. Malt 16 s. &c. the Quarter.
- 12 *Car. 2. c. 4.* Wheat, Rye, Pease, Beans, Barley, Malt, Oats, Beef, Pork, Bacon, Butter, Cheese and Candles, when they do not exceed, Wheat 40 s. the Quarter; Rye, Beans and Peas 24 s. Barley and Malt 20 s. Oats 16 s. Beef 5 l. the Barrel, Pork 6 l. 10 s. Bacon the Pound 6 d. Butter the Barrel 4 l. 10 s. Cheese the Hundred 1 l. 10. Candles the Dozen 5 s. may be transported on Payment of the Duties.
- 15 *Car. 2. c. 7.* This Statute settles the Prices of Corn for Transportation, Wheat at 48 s. the Quarter, Barley and Malt 28 s. Rye, Peas and Beans 32 s. Oats 13 s. 4 d. paying 5 s. 4 d. per Quarter Custom for Wheat, 4 s. for Barley or Malt, 2 s. Oats, &c.
- 22 *Car. 2. c. 13.* And by this Act all Persons may transport all Sorts of Corn, though the Prices exceed those *supra*, paying the Duties. This Statute was continued by several Acts in the Reign of King *William*, and 1 & 5 *Anna*.
- 1 *W. & M. c. 12.* Persons transporting Corn when Malt or Barley is at 24 s. per Quarter, Rye 32 s. Wheat 48 s. or under, to receive from Collectors of the Customs for every Quarter of Malt 2 s. 6 d. of Rye 3 s. 6 d. and Wheat 5 s. and pay no Custom.
- 10 *W. 3. c. 3.* But this Act prohibits Transportation of all Sorts of Corn, Grain, Meal, Flour, &c. other than for the Subsistence of Passengers, &c. to the Plantations and Factories abroad; under the Penalty of 20 s. per Bushel, and the Corn, &c. to be forfeited.
- 8 *Anna, c. 2.* This Act likewise prohibits Transportation of Corn to Foreign Parts; and also Low Wines or Spirits from Malt, Corn, &c. under the Penalty of 5 l. per Barrel. Persons having a License from the Queen may export Oatmeal, &c.



**Coroners.**

**A** Sheriff, Coroner, &c. for any Reward, &c. concealing Felonies, to be fined, and suffer one Year's Imprisonment. 3 E. 1. c. 9.

Coroners to be sufficient Men in the County; and to take nothing for executing their Offices. 3 E. 1. c. 10.

By this Statute Coroners are to enquire upon the Oaths of five or six Men, if they knew where the Person was slain, in what Manner, and who were present; and Persons found culpable to be committed to Gaol: Whether the dead Person were known, lay the Night before; and if any appear guilty of the Murder, to enquire what Goods and Lands he has, and then the dead Body shall be buried. They are to enquire of Persons drown'd, or suddenly dead, examine the Body whether there be any Signs of strangling about the Neck, or of Cords about the Privy Members, &c. Coroners are likewise to enquire of Treasure found, &c. 4 E. 1.

Coroners to be chosen in the full Counties, out of the most fit Persons. 28 E. 3. c. 6.

On Defaults of Sheriffs, &c. Coroners to impanel Juries of Persons having 10 l. per Annum. and return Issues upon Defaulters, under the Penalty of 40 l. This Statute was made to suppress Riots, that true Enquiry may be made. 2 H. 5. c. 8.

Every Coroner upon View of the dead Body and Enquiry of the Person that committed the Murder; Abettors, &c. to inroll and certify; the Coroners Inquisitions to be delivered to the Justices of the next Gaol-Delivery, if not certified into B. R. where the Murderers shall be proceeded against. Coroner being remiss in his Duty to forfeit 5 l. And not to take for his Fee above 13 s. 4 d. of the Goods of the Murderer, or out of Amerciament of the Vill for the Escape, if he be gone. Justices of Peace have Power to enquire of Escapes. 3 H. 7. c. 1.

Where a Person is slain by Misadventure, the Coroner to take no Fee, on pain of 40 s. Justices of Peace, &c. may enquire and punish Defaults and Extortions of Coroners. 1 H. 8. c. 7.

## Corporations, Mayors, &amp;c.

- 19 H. 7. c. 7. **C**orporations not to make any Ordinances in Diminution of the King's Prerogative, on Pain of 40 l.
- 28 H. 8. c. 5. No Corporation by Bond, &c. to restrain any Apprentice, &c. from keeping Shop, under the like Penalty of 40 l.
- 33 H. 8. c. 27. In Acts done by Corporations, the Consent of the greater Part shall be binding.
- 9 E. 3. c. 1. Head Officers of Corporations not redressing Abuses of Merchant-Strangers, &c. to pay double Damages, and the Franchise to be seised, &c.
- 1 & 2 P. & M. Persons out of a Corporation or Market-Town not to sell by Retail any woollen Cloth, &c. in such Corporation, (except in open Fairs) under the Penalty of 6 s. 8 d. and the Wares forfeited.
- 13 Car. 2. c. 1. None to bear any Office for the Government of any Corporation, &c. that hath not received the Sacrament in a Year past; and to take the Oaths of Allegiance and Supremacy, &c.
- Mayors. The Duties of Mayors consists in the following Particulars, viz.
- 8 Eliz. c. 22. Ability of Apprentices to be allowed by Mayors, &c.
- 2 E. 6. c. 3. Mayors may seise Armour of Affrayers, and arrest them.
- 3 Car. 1. Have Power to assess Prices of Ale and Beer; to convict unlicensed Alehouse-keepers, levy Penalties, &c.
- 12 & 12 W. 3. To regulate the Assise of Bread, examine its Goodness, &c.
- 8 Ann. c. 18. &c. Persons not observing the Assise, &c. to forfeit 40 s.
- 1 Eliz. c. 2. To observe whether the Common Prayer is read, and enquire into Defaults of Churchwardens.
- 39 El. c. 20. To appoint Searchers of Cloth under the Penalty of 5 l.
- 12 Car. 2. c. 14. To issue Warrants of Apprehension of Persons defrauding the King of his Customs.
- 4 Jac. 1. c. 5. To convict Persons of Drunkenness, who forfeit 5 s. and Tiplers 3 s. 4 d. or be set in the Stocks six Hours.
- 8 H. 6. c. 9. To enquire of Forcible Entries in their Franchises as Justices of the Peace.

To enquire into *unlawful Games* used by Apprentices, 33 H. 8. c. 8.  
*&c.* to commit Offenders, and search Gaming-houses,  
 which are liable to a Forfeiture of 40 s.

*Horses* stolen found in a Corporation to be claimed before the Mayor, and on Oath made of the Property, Order to be made for the Delivery, paying what was given, *&c.* on Sale. 31 Eliz. c. 12.

Mayors to appoint and swear Searchers and Sealers of Leather, on pain of 40 s. 1 Jac. 1. c. 23.

To punish Orchard-Robbers, Hedge-breakers, *&c.* by whipping, *&c.* 43 El. c. 7.

To tax Inhabitants for Relief of Persons visited with the Plague, appoint Searchers, Buriers of the Dead; command Persons to keep within, *&c.* 1 Jac. c. 31.

To make Proclamation for Rioters to disperse, who being twelve in Number, and continuing together an Hour after, are guilty of Felony; to command Assistance, seize Rioters, *&c.* 1 Geo. c. 6.

To suppress unlawful Pastimes, *&c.* on the Sabbath-day, and levy the Penalty of 3 s. 4 d. 1 Car. 1. c. 1.

To hear and determine Matters relating to Servants, *&c.* License Labourers to go to another County; and to assess the Wages of Labourers, *&c.* at Easter Sessions. 5 El. c. 4.

To convict Persons of profane Swearing, who forfeit 1 s. Labourers, Servants, *&c.* and 2 s. others, and to be doubled as the Crime repeated, or be set in the Stocks three Hours. 3 Car. c. 4. 6 & 7 W. 3.

To arrest Soldiers departing without License, be present at Musters; quarter and billet Soldiers, *&c.* which Constables, *&c.* may do. 18 H. 6. c. 19. 13 & 14 W.

To cause Vagrants, Lame, Blind, *&c.* begging, to be whipp'd. 1 Geo. 12 Ann. c. 23.

In every City to be a common Balance, and seal'd Weights on Penalty of 10 l. Borough 4 l. and Town 40 s. And there is to be a common Bushel seal'd. Mayors to provide Marks, and refusing to seal to forfeit 40 s. Permitting Persons to sell by other Measure 5 l. 8 H. 6. c. 5. 11 H. 6. c. 8. 7 H. 7. c. 4.

Mayors, *&c.* to order the Size of Faggot, Billet, and other Wood. 43 El. c. 14.

To command Constables near the Sea-Coasts to call Assistance for the Salvage of a Ship in danger of Wreck. 12 Ann. c. 18.



Sheriffs after Receipt of Writs for electing Members of Parliament, to deliver a Precept to every Mayor, &c. commanding them to chuse Burgeses by the Citizens, &c. Making a false Return to forfeit 40 l. to the King, and the like Sum to the Party chosen. See Title Parliament.

See more of Corporations, Franchises.

Costs, see Damages.

### Cottages.

31 Eliz. c. 7.

**N**ONE to erect a Cottage without laying four Acres of Land to it, on pain of 10 l. and 40 s. a Month for Continuance. And permitting Inmates to inhabit 10 s. a Month. But not to extend to Cottages in Cities, for Labourers in Mines, Seafaring Persons, &c. Nor those erected by Order of Justices in Sessions.

43 Eliz. c. 2.

And Churchwardens, &c. by Leave of the Lord of the Manor may erect Cottages on the Waste, at the Charge of the Parish, for poor impotent Persons.

### Counterfeiting Letters, &c.

33 H. 8. c. 1.

**P**ERSONS obtaining any Money, &c. by counterfeit Letters, &c. convicted before Justices of Assize, and Justices of Peace, &c. to suffer such Punishment as shall be thought fit, under Death. Justices in Corporations have like Power to punish.

8 & 9 W. 3.  
c. 24, 25.

Counterfeiting a Hawker's License to forfeit 50 l. And to forge or counterfeit Exchequer Bills is made Felony.

County

## County-Courts.

County-Courts to be held monthly; and the Sheriff's Turn twice a Year, viz. after *Easter* and *Michaelmas*. *Mag. Chart.* 35. 9 H. 3.

Sheriffs not to suffer Barretors, &c. to make Suit, nor give Judgment without the Suitors. 3 E. 1. c. 33.

This Statute directs the Turn to be held within a Month after *Easter* and *Michaelmas*. 3 E. 3. c. 15.

No Sheriff to enter in the County-Court any Plaint in the Absence of the Plaintiff, nor have above one Plaint for one Cause, on pain of 40 s. The Defendant in the County-Court to have lawful Summons; and two Justices to view Extreats before Sheriffs issue them out of the County-Court. Justices have Power to examine Officers, &c. 11 H. 7. c. 15.

County-Courts to be adjourned from Month to Month, and no longer. 3 E. 6. c. 25.

On Election of Knights of the Shire, the Sheriff to hold his County-Court at the most publick and usual Place, and there proceed to Election; and not adjourn the County-Court to any other Place, without the Consent of the Candidates, or make any unnecessary Adjournment, &c. 7 & 8 W. 3. c. 25.

## Court-Martial.

BY this Statute it is made Felony for a Soldier to depart from his Colours, and Justices of Peace had Power to determine these Offences. 7 H. 7. c. 12.

But by this Act Desertion and Mutiny is punishable by a Court-Martial. The King, or the General of the Army, to grant Commissions to any Field-Officer or Commander in Chief to call a Court Martial of thirteen at least Commission-Officers, who are to take an Oath for trying truly, and Sentence of Death not to be given unless nine concur. Proceedings to be between eight in the & M. c. 13.

the Morning, and one in the Afternoon. A Field-Officer not to be tried by any under the Degree of a Captain.

- 7 *Ann.*, c. 4. The Queen may grant a Commission to a General, &c. to hold a Court-Martial within the Realm, for trying Offenders against the Laws of War out of the Realm; or a Soldier deserting abroad, and coming Home, may be sent back to his Regiment to be proceeded against. Acquittal or Conviction in a Court-Martial to be a good Bar to an Indictment.

See more Title *Soldiers*.

### Creditors.

30 *Car.* 2.  
c. 7.

**C**reditors to recover their Debts of Executors or Administrators, who in their own Wrong waste, or convert to their Use the Estate of the Deceased, and they shall be charged as the Intestate would have been. Continued by 1 *Jac.* 2. c. 17. and made perpetual by 4 & 5 *W. & M.*

3 & 4 *W.*  
& *M. c.* 14.

Wills concerning Lands, &c. deemed against Creditors upon Bonds or other Specialties void; and Creditors to have Actions of Debt against the Heir at Law and Devisees. The Heir to be answerable for Debts where he has made Lands over to the Value, and Creditors to be preferred as in Actions against Executors, &c. Devises of Lands for Payment of Debts, Childrens Portions in pursuance of a Marriage-Contract, to be in Force. Made perpetual by 6 & 7 *W.* 3. c. 14.

8 & 9 *W.* 3.  
c. 18.

Two thirds in Number of Creditors may make Compositions with Debtors, and bind all the rest; but they are to make Oath before a Master in Chancery, being required, how their Debts became due, and that they are to receive no greater Advantage than the Composition. Refusing the Oath, claiming more than due, or agreeing to receive greater Advantage, to forfeit 100 *l.* and Subscription to be void. But this Act not to make void Securities by Mortgages, &c. which affect not the Person of the Debtor.

But



This Act repeals the preceding Statute for Relief of 9 & 10 W. 3. Creditors by Composition of two thirds in Number, and c. 29. every Clause therein.

Persons Prisoners for Debt, &c. delivering Accounts of their Estates upon Oath, and likewise making Oath that they have no Estate or Effects to the Value of 10 l. to be discharged. No Person to have Benefit of the Act, who owes 50 l. to one Creditor. Debt to the King not discharged; and on Discharge of the Person of the Prisoner, Judgment against his Lands, Goods, &c. to stand good, and Creditors may take out a new Execution against the same; Cloaths, Bedding, and necessary Tools for Trade excepted. But this Statute extended only to Prisoners in Custody at such a Time, as an Act of Grace. 10 Ann. c. 20.

### Crown.

People of England not subject to France, or any Foreign Potentate. 14 E. 3.

By this Statute the Crowns of England and France were intail'd on the King and his Issue. 7 H. 4. c. 2.

This Statute settles the Succession of the Crown in the King's Daughter the Lady Mary, Remainder to the Lady Elizabeth, Remainder to such as the King by Letters Patent or Will should limit. 35 H. 8. c. 1.

No Foreign Potentate to exercise any Power in the Queen's Dominions, and all Ecclesiastical Jurisdiction annex'd to the Crown. Maintaining Power of any Foreign Prelate or Potentate to forfeit all Goods and Chattels, if the Offender be not worth 20 l. and to suffer one Year's Imprisonment; the second Offence a *Premunire*, and the third High Treason. Persons to take Oaths, that the Queen is supreme. 1 Eliz. c. 1.

Maintaining the Jurisdiction of Rome in any of the Queen's Dominions incurs a *Premunire*. Ecclesiastical Persons, Officers Ecclesiastical and Temporal, all Persons taking Orders, Attorneys, Officers in the Ministry, &c. to take the Oath of Supremacy; refusing to take it on the second Tender, or being formerly convicted of maintaining the Jurisdiction of Rome, committing the like Offence, 5 Eliz. c. 1.

Offence, declared High Treason. But this relates only to Clergymen, &c. with respect to the Oaths.

- 23 *Eliz. c. 1.* This Stat. makes it High Treason for any to pretend to have Power to absolve; or to persuade Persons to withdraw from the Queen's Dominions, with intent to prevail with them to exercise the Romish Religion, &c. Persons saying Mass to forfeit 200 Marks, hearing it 100 Marks, and one Year's Imprisonment.
- 27 *Eliz. c. 2.* Jesuits and Ecclesiastical Persons born in the Queen's Dominions, and ordain'd by the pretended Jurisdiction of Rome, coming into the Kingdom, adjudg'd guilty of High Treason; and Receivers, Aiders, &c. guilty of Felony. Others, not returning in six Months after Proclamation, the same Crime. Persons knowing Priests, Jesuits, &c. not discovering them to a Justice of Peace, &c. to be fin'd and imprison'd.
- 1 *Jac. 1. c. 1.* This Act recognizes and maintains the Succession to the Crown by Birth-right in King James.
- 1 *Jac. 1. c. 4.* This Statute requires that all the Acts of Queen Elizabeth be duly put in Execution, And none to send Children, &c. abroad to be instructed in the Popish Religion under the Penalty of 100 *l.* and the Persons sent incapable of any Grant of Inheritance. Women, Children, &c. not to pass the Seas without License of the King or six of the Privy Council (except Merchants, Factors, &c.) if they do, Officers permitting to forfeit Goods, and be imprison'd a Year, &c.
- 3 *Jac. 1. c. 5.* Persons discovering any that entertain a Popish Priest, or hear Mass, to have a third Part of Forfeitures. Convict Recusants may be licensed by three of the Privy Council, or four Justices of Peace, &c. to travel about their necessary Affairs, notwithstanding 35 *Eliz.* Married Woman being a Popish Recusant Convict (her Husband being none) not conforming in a Year, to forfeit two Thirds of her Dower, &c. Persons married otherwise than according to the Church of England, not to be Tenant by the Courtesie, disabled to enjoy Dower, Jointure, &c. and to forfeit 100 *l.* Children to be baptized by a lawful Minister on pain of 100 *l.* &c.
- 7 *Jac. 1. c. 2.* No Person to be restored to Blood, &c. till he have received the Sacrament within a Month, and taken the Oaths of Allegiance and Supremacy to the King.

Persons of eighteen Years of Age, Justices of Peace to 7 Jac. 1. c. 6.  
 require to take the Oath of Allegiance, &c. None refusing the Oath capable of any Office, (not being of Inheritance or ministerial) to practise the Law, Physick, &c. Married Woman, being a convicted Recusant, not conforming in three Months, to be committed till she does; unless the Husband will pay 10 l. a Month. Persons going beyond Sea, or sending any to be trained up in Popery, or sending Relief, &c. to them, or Maintenance to any School, &c. disabled to prosecute any Suit, to be Executor or Administrator, to receive any Legacy, bear any Office, &c. and forfeit Goods and Chattels, &c. But conforming after Return not to incur the Penalties.

By this Statute the High Commission Court exercising 16 & 17 Ecclesiastical Jurisdiction by Commission from the Car. 1. c. 2. Crown, by vertue of 1 E. 1. c. 1. is taken away and dissolved. and that Branch of the Statute 1 Eliz. repealed, &c.

This Statute repeals the Statute 17 Car. 1. c. 11. ex- 13 Car. 2. cept what concerns the High Commission Court; and c. 12. restores the Ecclesiastical Jurisdiction. And Statute 30 Car. 2. obliges Lords Spiritual and Temporal, and others, &c. to take the Oaths and subscribe the Declaration.

This Statute recites a Declaration of the Lords and 1 W. & M. Commons made for securing the Liberties of the King. c. 2. dom, upon which the Prince and Princess of *Orange* accepted the Crown of *England*, &c. And King *James* having abdicated the Government, recognizes them King and Queen of *England*, &c. King *William* to exercise the Power in both their Names, and the Succession to go to the Survivor; and afterwards to the Heirs of the Body of her Majesty, and for Default of Issue to the Princess *Anne* of *Denmark*, and the Heirs of her Body. Papists are by this Act rendred incapable to inherit the Crown, &c. And Persons absolved of their Allegiance to such.

By this Statute the Princess *Sophia* is declared next in 12 W. 3. c. 2. Succession after King *William*, and the Princess *Anne* and their Issue; and the Crown to remain to the Princess *Sophia* and the Heirs of her Body being Protestants. Persons marrying Papists are excluded. Persons coming to the Crown to join in the Communion of the Church of *England*. This Nation not to be engaged in a War for Defence



fence of Dominions not belonging to the Crown. Persons born out of the Realm, though naturalized, not to be of the Privy Council, Member of either House of Parliament, or enjoy any Office, &c. unless descended of *English* Parents. No Pardon under the Great Seal pleadable to an Impeachment of the Commons.

7 & 8 W. 3. Persons maliciously writing, printing, preaching, publishing, &c. That King *William* is not lawful and rightful King of these Realms, or that the late King *James*, or the pretended Prince of *Wales*, have any Right to the Crown, &c. incur a *Præmunire*. Persons bearing Offices, &c. under his Majesty, Ecclesiastical Persons, Serjeants at Law, Counsellors, Attorneys, to take the Oath of Abjuration; neglecting or refusing to take the said Oath, incapable to execute Offices and Employments, &c. and to forfeit 500 l.

1 *Anna*, c. 8. On the Demise of her Majesty, or any King or Queen,  
4 *Anna*, c. 8. all Patents and Grants of Civil and Military Offices, &c. Writs, Commissions of Assize, Commissions of the Peace, &c. to be in Force for six Months. And the Parliament not to be dissolved by the Death of her Majesty, but to act for six Months, unless prorogued or dissolved by the Person to whom the Crown shall come. The next Protestant Heir to be proclaimed; and the seven Great Officers of State, with others to be added by the Successor, to be Lords Justices till his Arrival, &c.

1 *Anna*, c. 2. Persons endeavouring to deprive the next in Succession to the Crown from succeeding, and who attempt it by any Overt Act, guilty of High Treason.

Persons by writing, &c. affirming that the King or Queen of *England* cannot make Laws by the Authority of Parliament to bind the Crown, guilty of High Treason. Preaching or speaking incur a *Præmunire*. Several of the Statutes of the late Queen, and 1 *Geo.* c. 15. continue the former Acts to oblige taking the Oath of Abjuration, &c.

1 *Geo.* c. 55. with Alterations under the Penalties 13 W. 3.

See *Daths*.

See more of Crown, under Title King and Queen.

Crown

## Crown-Office.

**C**lerk of the Crown of the King's Bench not to receive or file any Information for Trespass, Battery, &c. without express Order in open Court; and not to issue any Process without taking a Recognizance in 20 l. Penalty to prosecute with Effect, &c. And if the Party appear, and the Plaintiff do not procure a Trial in a Year, or if Verdict pass for the Defendant, &c. the Court to award the Defendant Costs, &c. Persons outlaw'd in this Court for any Thing except Treason or Felony, not obliged to appear in Person, but may appear by Attorney and reverse the same without Bail, except where special Bail is ordered. This Act not to extend to Informations in the Name of their Majesties Coroner or Attorney, who is commonly Master of the Crown Office. Pleas and Informations on the Demise of the King to stand without calling the Defendants to plead anew, unless they request it. 4 & 5 W. & M. c. 18.

Clerks of the Crown issuing any Process against Grantees of Corporations having Charters; Lords of Manors having Conveyances inroll'd, of Forfeitures of Felons, &c. to forfeit 5 l. Upon granting any Exigent for a criminal Matter, before Conviction a Writ of Proclamation to issue to the Sheriff of the County where the Persons inhabit, according to 31 Eliz. &c. This Act is made perpetual by 7 & 8 W. 3. c. 36. 4 & 5 W. & M. c. 22

## Customs.

**T**HIS Act orders a Mark to be paid as Custom for a Sack of Wooll. 14 E. 3. c. 21.

Custom-house Officers not to have any Ships of their own, &c. 14 R. 2. c. 10.

Custom-house Officers concealing Customs to forfeit treble Value. 3 H. 6. c. 34.

- 11 H7. c. 14. Merchant-Strangers made Denizens to pay the same Customs and Subsidies as before.
- 4 H. 8. c. 6. Collectors of the Subsidy of Cloth of Gold, Silver, Velvet, &c. not to take any thing for sealing, on pain of 20 l.
- 1 Eliz. c. 11. Goods to be laden and unladen at certain Ports, and Officers of the Customs acquainted with it. None to enter Goods but Owners, and Duties granted on Sweets, Wines, &c.
- 12 Car. 2. c. 4. This Statute granted to the King a Subsidy call'd Tonnage on Wine imported, and Poundage for Merchandize exported, during his Life. Herrings and other Sea-fish may be transported without paying any Duty.
- 1 Jac. 2. c. 1. This Act grants the Duty of Tonnage and Poundage to King James for Life.
- 1 Jac. 2. c. 4. For Supplying Repairs for the Navy, &c. This Act imposes a Duty on Tobacco and Sugar.
- 1 Jac. 2. c. 5. A Duty laid on Callico'es, and other Indian Linnen imported; and also on Brandy.
- 1 W. & M. Sess. 2. c. 6. By this Act a Duty is granted on Coffee, Tea and Chocolate.
- 2 W. & M. Sess. 1. c. 4. Tonnage and Poundage granted to King William and Queen Mary for four Years.
- 2 W. & M. Sess. 2. c. 4. A Duty granted on Deal, Timber, and other Wood, Hemp-seed, Hops, Pepper, Grocery Wares, Iron, Flax, Glass, Tallow, Beaver Wool, Olive Oil, Paper, Liquorice, Soap, Earthen Ware, Starch, Allom, Brimstone, Tin, &c. imported.
- 4 & 5 W. & M. c. 5. This Statute gives a Duty on Amber Beads, Anchovies, Books, Lamp-black, Brass wrought, Buckrams, Hair Buttons, Carpets, Lustrings, Scotch Coals, Walking-Canes, Copper, Cotton, Elephant's Teeth, Flax, Flannel, Frize, Furs, Gold and Silver Wire, Goats Hair, Hides, Hemp, Jewels, Leather, Madder, Pitch, Plate, Rice, Rosin, Salt, Silk thrown, Silk Ferret, Tar, Tickling, Tapestry, dying Wood, Bees Wax, &c.
- 6 W. & M. c. 1. In Confidence of their Majesties guarding the Seas, and protecting Commerce, the Duties of Tonnage and Poundage are granted to their Majesties for five Years more.
- 6 & 7 W. 3. c. 7. Towards Satisfaction of Debts due for Transport-Ser-vice, &c. an additional Duty was granted on Coffee, Currans,



Curran, Chocolate, Cocoa Paste, Tea, Nutmegs, Cinnamon, Cloves, Mace, &c. and Pictures.

This Act continues 1 Jac. 2. for granting an Imposi- 7 & 8 W. 3.  
tion on Tobacco and Sugar imported, &c. c. 10.

These Acts grant additional Duties, over and above 7 & 8 W. 3.  
the Tonnage and Poundage, on French Wines, Drugs, &c. 8 & 9 W. 3.

By this Act the Duty on Tin and Pewter exported is 8 & 9 W. 3.  
lessened. c. 34.

Over and above Tonnage and Poundage, and all addi- 9 & 10 W. 3.  
tional Duties, another Subsidy called Tonnage is granted c. 23.  
by this Act during his Majesty's Life.

Additional Duties laid on wrought Silks, and Bengal 11 & 12  
Stuff made in Persia, China or East India, and Callicoes W. 3. c. 3.  
painted, &c. Mullins imported.

Tonnage and Poundage granted her Majesty during 1 Anne, c. 7.  
her Life.

By this Statute Tonnage, over and above Tonnage 2 Anne, c. 9.  
and Poundage Duties, granted her Majesty for three  
Years.

This Act grants to her Majesty a further Subsidy on 3 Anne, c. 5.  
Wines and Merchandizes imported.

The Duties on Wines, &c. over and above Tonnage 4 Anne, c. 6.  
and Poundage, granted for ninety-eight Years.

A Duty continued on Whalebone, &c. 4 & 5 A. c. 12

Tonnage and Poundage Duties on Wines and Mer- 5 & 6 Ann.  
chandizes continued.

The Duties on Wine and Vinegar granted by 1 Jac. 2. 7 Anne, c. 8  
&c. are continued by this Act.

For raising 500000 l. by way of Loan, a Duty was 8 Ann. c. 9.  
granted on Wax-Candles imported, &c. And on all  
Candles made in England.

The Duties on Candles continued for ever. And like- 9 Ann. c. 11.  
wise the Duties on Wines, Tobacco, India Goods, Whale-  
fins, &c. made perpetual.

The Duties first granted by Stat. 12 Car. 2. to be paid 9 Anne, c. 6.  
on Exportation, revived for thirty-two Years.

A Duty granted on Soap for thirty-two Years; and 10 Ann. c. 19.  
also on Paper, Pastboards, Books, Prints and Maps; and  
Linnens printed or dy'd in foreign Parts, imported; and  
also on Silks, Callicoes, &c. made in Great Britain, ex-  
cept those dyed throughout of one Colour. A Stamp  
Duty is likewise granted for thirty-two Years on Vellum,  
Parchment and Paper, &c.

- 10 Ann. c. 16. This Act grants for thirty-two Years a Duty on Deer-skins, and all *Russia* Hides, &c. tann'd Hides, foreign Beasts Skins, &c. imported ; and for all Hides, &c. tann'd in *Great Britain*. It likewise grants a Duty on Policies of Insurance.
- 12 Ann. c. 9. A Duty granted on Paper, &c. made in *Great Britain* for thirty-two Years, and also on all chequer'd and strip'd Linnens, &c. and Linnens printed imported, on Coals exported, and a further Stamp-Duty on Vellum, Parchment, &c.
- 1 Geo. By this Statute the Duties of Tonnage and Poundage are granted his Majesty for Life.

### Custos Rotulorum.

- 37 H. 8. c. 1. **A** *Custos Rotulorum* to be established by a Writing sign'd by the King's Hand, which shall be a Warrant to the Lord Chancellor to put him in Commission. He may execute his Office by a Deputy ; appoint a Clerk of the Peace, &c.
- 4 E. 6. c. 1. By this Act the Lord Chancellor or Lord Keeper was to appoint a *Custos Rotulorum* in every County.
- 1 W. & M. c. 25. But by this Statute the Nomination of the *Custos Rotulorum* in all Counties to be as directed by 37 H. 8. *Custos Rotulorum*, or others to whom Right doth belong, to nominate and appoint the Clerk of the Peace. But not to sell the Place on pain of forfeiting double the Sum taken, and the Office of *Custos Rotulorum*.

### Damages and Costs.

- Gloc. 1. 6 E. 1. **B**Y this Statute Damages are given in Assises of Novel Disseisin, &c.
- 6 E. 2. c. 14. Disseisees in *London* to have Damages by Recognizance of the same Assise whereby they recovered their Lands, and the Disseisors to be amerced before two Barons of the Exchequer.

If a Person bound by a Judgment before Execution, 3.H. 7.c.10. sue a Writ of Error to reverse it, and the Judgment be affirmed, the Writ discontinued, &c. the Defendant to recover Costs and Damages.

If a Plaintiff be nonsuit, or overthrown by Trial in 23 H. 8. c. 15. any Action of Trespass, Debt, Covenant, Detinue, Account upon the Case, &c. the Defendant to have Costs set by the Judge of the Court.

But no Costs awarded to the Defendant on Actions 24 H. 8. c. 8. brought by the King.

In personal Actions, where the Debt, &c. exceeds not 43 Eliz. c. 6. 40 s. no more Costs than Damages to be awarded.

If the Demandant or Plaintiff be nonsuit or overthrown 4 Jac. 1. c. 3. by lawful Trial in any Action whatsoever, the Defendant to have Costs.

Actions of Slander, Damages under 40 s. No more 21 Jac. 1. c. 16. Costs than Damages.

If any Person prosecute a Writ of Error for the Rever- 13 Car. 2. c. 2. sal of Judgment after Verdict in any Court at Westminster, and the Judgment is affirmed, he is to pay double Costs; Actions upon penal Laws, &c. excepted. Distress wrongfully taken without Cause incurs treble Damages. See Title Distress.

Where several Persons are made Defendants in any 8 & 9 W. 3. Action of Trespass, &c. and one is acquitted, all to recover Costs; but in all Actions of Trespass, where the Trespass is prov'd wilful and malicious, the Plaintiff to recover Damages and full Costs. Costs are recoverable in Actions of Waste, and Debt upon the Statute for not setting forth of Tithes; and in all Actions upon any Bond or Penal Sum for Non-performance of Covenants, the Plaintiff may assign as many Breaches as he thinks fit, and the Jury shall assess Damages for those he shall prove broken.

See more Title Amendments.

G 3

Days



### Days in Bank, of Return, &c.

21 H. 3.

**T**HE Day increasing in the Leap Year, and the Day next going before, to be accounted one Day.

32 H. 8. c. 21.

Only four Days of Return in *Trinity Term*, viz. *Craft*, *Trin.* *Offab.* *Trin.* *Quind.* *Trin.* and *Tres. Trin.* The Term for keeping of *Essoins* to begin the *Monday* after *Trinity Sunday* yearly, and for Business the *Friday* following. *Ju.* *Stices* of the King's Courts of Record may assign special Days of Return.

16 &amp; 17

Car. 1. c. 6.

To be only six Days of Return in *Michaelmas Term*, viz. *Tres Mich.* *Mens.* *Mich.* *Craft.* *Anim.* *Craft.* *Mart.* *Offab.* *Mart.* and *Quind. Mart.* *Michaelmas Term* to begin at *Tres Mich.* for keeping of *Essoins*, Returns, &c. And the full Term four Days after, viz. the 23d of *Offaber.* *Hillary Term* begins the 23d of *January*; and *Easter Term* begins seventeen Days after *Easter Day*. The two issuable Terms are *Hillary* and *Trinity*.

6 Ann. c. 6.

The Court of *Exchequer*, &c. in *Scotland* to be kept at four Terms in the Year, viz. *Martinmas Term*, to begin the 3d of *November*, and end the 29th. *Candlemas Term*, beginning the 23d of *January*, and ending the 12th of *February*. *Whitsontide Term*, to begin the 25th of *May*, and end the 15th of *June*; and *Lammas Term*, beginning the 20th of *July*, and ending the 8th of *August*.

### Deaths and Deceases of Persons beyond Seas, Tenants for Life, &c.

19 Car. 2. c. 6.

**I**F any Person, for whose Life or Lives any Estates have been granted, remain beyond Sea, or otherwise absent seven Years, and no Proof made of their being living, to be accounted naturally dead. But if the Person be afterwards proved living at the Time of Eviction of

of any Person by this Act, then the Tenant, &c. to re-enter and recover Profits, &c.

Persons in Remainder, Reversion or Expectancy of any Estate after the Death of another, upon making Affidavit in Chancery that they have Cause to believe such other Person dead, and such Death concealed by a Guardian, Trustees, or others; may move the Lord Chancellor once a Year, to order such Guardian, &c. to produce the Person. And if not produced, to be taken to be dead, and those claiming may enter. Persons abroad to be viewed by Commissioners sent. 6 Anne, c. 18.

### Debt.

**N**ONE to restrain a Foreigner in any City, Town, &c. for any Debt not justly his, on pain of grievous Punishment. 3 E. 1. c. 23.

Judgment shall be given against a Debtor, who having made a fraudulent Conveyance to defraud Creditors, retires into a privileged Place, and refuses to appear on Proclamation by the Sheriff. 2 R. 2. c. 3.

Citizens and Freemen of London, and others, having Debts owing under 40 s. to cause the Debtor to be summoned to the Court of Requests at *Guildhall*; refusing to appear, to be imprisoned in one of the Compters, &c. But this Act not to extend to Debts for Rent, real Contracts, &c. 3 Jac. 1. c. 15.

In Debt on single Bill, &c. the Defendant may plead Payment in Bar. And pending an Action on Bond, &c. the Defendant may bring in Principal, Interest and Costs; and the Court shall give Judgment to discharge the Defendant. 4 & 5 Ann. c. 16.

See Actions.

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### Debt to the King.

- Mag. Chart.* **T**HE King's Debt not to be levied on Lands, when  
 8. 9 H. 3. there are Goods and Chattels, nor shall Pledges be  
 distreined when the Principal is sufficient.
18. 9 H. 3. King's Debts to be preferred before an Executor.
- 3 E. 1. The Sheriff having received the King's Debt, upon his  
 next Account to discharge the Debtor, on pain to forfeit  
 treble Value; and the Sheriff to give a Tally to the  
 King's Debtor on Payment.
- 28 E. 1. Beasts of the Plough not to be distreined for the King's  
 Debt, if others may be found:
- 25 E. 3. Notwithstanding the King's Protection, Creditors may  
 proceed to Judgment against his Debtor with a *cesset executu-*  
*rio*, till the King's Debt be paid.
- 13 El. c. 4. All Lands, Tenements and Hereditaments of the  
 Queen's Accomptant, and Lands purchased in other  
 Names in Trust for such, liable to Execution as if found  
 by Writing obligatory, &c. and the Queen may sell in  
 six Months to satisfy the Debt, &c.
- 27 El. c. 3. The Queen, &c. may make Sale of the Accomptant's  
 Lands, &c. as well after his Death, as in his Life-time.  
 But the Heirs Lands not to be sold during his Minority;  
 and if the Accomptant or Debtor had a *Quietus* in his  
 Life-time, that shall discharge the Heir of the Debt.
- 7 Jac. c. 15. No Debt shall be assigned to the King, &c. by any  
 Debtor or Accomptant, other than such as did originally  
 grow due to the King's Debtor, &c.
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### Declaration, Demurrer.

- 36 E. 3. c. 15. **N**O Man to be prejudiced if the Matter of his Acti-  
 on be fully shewn in the Declaration.
- 8 Eliz. c. 2. The Plaintiff to declare in three Days after the Defen-  
 dant's Appearance in B. R. And in other Courts, which  
 sit not *de die in diem*, at the next Court.

Judges



Judges shall proceed to give Judgment according to 27 El. c. 5.  
the Right of the Cause after Demurrer joined, without  
regard to Defects of Proceeding, except such as shall be  
expressed with the Demurrer; but this not to extend to  
Appeals of Felony or Murder, Indictments on penal Sta-  
tutes, &c.

Causes of Demurrer to be specially set down, &c.

4 & 5 Anne,  
c. 16.

## Deer, and Deer-stealers.

**N**ONE shall keep any Deer-Hays or Buck-stalls, 19 H. 7. c. 11.  
except in his own Park, &c. under the Penalty of  
40 s. a Month.

None to kill or chase any Deer, &c. in any Parks or 3 Jac. 1.  
inclosed Grounds, on pain of suffering three Months Im-  
prisonment, and to pay treble Damages. And Persons  
not having 40 l. per Annum in Lands, or 200 l. in Goods,  
or inclosed Ground for Deer, not to use any Gun, Bow,  
Dog, Net, &c. to kill Deer. Guns, &c. to be taken  
from them.

By this Act coursing, killing, hunting or taking away 13 Car. 2.  
any red or fallow Deer incurs a Penalty of 20 l.

This Statute inflicts a Penalty of 20 l. for unlawful  
hunting, coursing, wounding, &c. of Deer, and 30 l.  
for taking or killing; and on Nonpayment, Offenders to  
be imprisoned a Year, and set on the Pillory. Constables,  
&c. may search for stolen Venison. Pulling down Pales  
or Walls of Parks, &c. where Deer are inclosed, three  
Months Imprisonment.

6. 10.  
3 & 4 W.  
& M. c. 10.

Debite, see Wills.

## Dilapidations.

**A**gainst Ecclesiastical Persons suffering Buildings to 13 El. c. 10.  
fall to Decay, and making fraudulent Gifts of their  
personal Estates to hinder Recovery of Dilapidations.  
this Statute gives Remedy by prosecuting the Grantee, &c.

Moneys

14 *Eliz. c. 11.* Moneys recovered for Dilapidations to be rightly employed under the Penalty of forfeiting double.

### Discontinuance.

21 *H. 7. c. 20.* IF a Woman having an Estate in Dower for Life, or in Tail jointly with her Husband, or only to herself of his Purchase, &c. do either sole. or with an after-taken Husband, discontinue, or suffer a covinous Recovery, it shall be void.

1 *E. 6. c. 3.* The Death of the King shall not discontinue any Suit between Party and Party. Assises of Novel Disseisin, *Mort d'Auncester*, Attaints, &c. not to be discontinued by reason of Death, new Commissions, &c. No Process or Suit before Justices of Assise, Gaol-Delivery, Justices of Peace, &c. discontinued by a new Commission.

12 *Car. 2. c. 3.* No Pleas, Writs, Plaints, Process, &c. pleaded returned, or having Day in the Courts at *Westminster* at any the four first Returns of *Easter Term* 1660. shall be discontinued by not keeping the said Returns.

### Distress.

51 *H. 3.* Owners of impounded Cattle may give them Food; Distresses to be reasonable, and neither Draught-Cattle nor Sheep to be distreined, except for Damage Feasant.

*Marlb. c. 4.* None to drive a Distress out of the County where taken; if they do, liable to a Fine. And no Person but the King's Officer to take a Distress out of his Fee, or in the King's Highway.

*Marlb. c. 21.* Beasts taken and wrongfully with-holden, the Sheriff may cause to be delivered.

52 *H. 3.*  
*Marlb. c. 12.* None to distrein his Freeholders to answer for any thing touching their Freeholds, but by the King's Writ.

No

No Person shall distrein another on purpose to injure him, *Westm. 2. 36.* and put him to Expence, or to make him appear at 13 E. 1. the County-Court, &c. under the Penalty of treble Damages.

Distresses to be taken by known Bailiff, and such as *Westm. 2. 37.* are sworn. 13 E. 1.

Distresses not to be taken in the Highway, or in the 9 E. 2. ancient Fees of the Church.

Lords attach'd in Replevin by their Tenants not ob- *Westm. 2. 2.* taining Justice in inferior Courts in the Country, a Writ 13 E. 1. to be granted to remove the Plea before the Justices, and the Avowry shall be upon the Seisin of the Ancestor. Sheriffs to take Pledges of the Plaintiff to prosecute his Suit, and return the Distress, if it be awarded, otherwise to answer the Lord for the Price of the Cattle.

No Distress of Cattle to be driven out of the Hundred, 1 P. & M. except to a Pound Overt in the same County, nor above c. 12. three Miles distant, nor be impounded in several Places, under the Penalty of 5 l. and treble Damages. Sheriffs to proclaim Deputies to take Replevins under the Penalty of 5 l.

Goods or Chattels distreined for Rent not replevied in 2 W. & M. five Days, may be appraised and sold by the Person distreining with the Under-Sheriff, Constable, &c. to satisfy the Debt, leaving the Overplus with the Sheriff, &c. for the Owner's Use. Sheaves of Corn, Hay in a Barn, Rick, &c. liable to Distress. For Rescous of Goods distreined and Pound-Breaches, treble Damages are recoverable; and where Distress is taken, and no Rent due, double the Value of the Goods to be recovered, and full Costs of Suit. *Sess. 1. c. 5.*

Where Lessees fraudulently convey away Goods, &c. 8 Anne, c. 17. the Lessor or Landlord may in five Days seise such Goods wheresoever found, as a Distress for the Rent in Arrear, except Goods sold for a valuable Consideration before the Seisure. Distress may be taken for Rent in Arrear where Leases are expired, provided it be made in six Months, and the Tenant in Possession.

Dower.



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Dower.

- 9 H. 3. **B**Y *Magna Charta* a Widow shall immediately after her Husband's Death have her Marriage-Inheritance; and she shall remain in the chief House of her Husband forty Days, within which Time Dower is to be assigned her; and for her Dower she shall be allotted the third Part of all the Lands which was her Husband's in his Life-time.
- 20 H. 3. A Woman deforc'd of her Dower to recover Damages, viz. the Value of her Dower from her Husband's Death.
- 13 E. 1. The Wife endowable where Lands were recovered against the Husband by Default or Covin. If a Wife be wrongfully endowed during the Minority of an Heir, he at full Age shall be righted. A *Quod ei deforceat* is given to Tenants in Dower, &c. instead of the Writ of Right. If a Jointure be made after Marriage, the Wife may waive it, and demand her Dower; *contra* if it be made before. 27 H. 8.
- 1 E. 6. c. 12. The Wife shall be endowed, although her Husband were attainted, convicted or outlawed of Felony, &c. saving the Right of others.
- 4 & 5 W. The Widow of a Mortgagor against whom Judgments & M. c. 16. are had, and where fraudulent Mortgages are made which takes away the Right of Redemption, shall not be barr'd of her Dower, if she did not legally join with her Husband in such Mortgage, &c.

Drunkennes, see Alehouses.

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## Durham.

- 7 E. 6. **B**Y this Act the Bishoprick of *Durham* was dissolved, and the King was to have all the Lands, &c. But this Act was repealed by 1 M. and the Bishoprick revived and new erected, and Jurisdictions annexed to the County Palatine, &c.

Justices

Justices of the County Palatine may levy Fines of 5 *Eliz.c. 27.*  
Lands in the County.

Writs upon Proclamations, &c. to be directed to the 31 *Eliz.c. 2.*  
Bishop of *Durham*, &c.

The King's Writ to go to the Bishop or his Chancellor, 25 *Car. 2.*  
for, for electing Members of Parliament in the County- *c. 9.*  
Palatine, and the Sheriff to return, &c.

### East-India Company.

FOR raising a Sum not exceeding two Millions, and 9 & 10 *W. 3.*  
for settling the Trade to the *East-Indies*, enacted, *c. 44.*  
That 160000 *l. per Annum* arising by the Duties on Salt  
stamp'd Vellum, &c. should be a Fund for the Payment  
of Annuities of 8 *per Cent.* to Subscribers. Any Sum to  
be subscribed not less than 100 *l.* Persons paying down  
Subscriptions to defalk 10 *per Cent.* The King by Let-  
ters Patent under the Great Seal to incorporate the Sub-  
scribers. Subscribers of 500 *l.* to meet and chuse twenty-  
four Trustees by way of balloting. Members of the  
Company not to trade otherwise than in the joint Stock,  
and to take Oaths of Fidelity. Goods laden in the *Indies*  
shall be brought to *England* without breaking Bulk.  
Goods imported to be sold by Inch of Candle. The  
Stock esteemed a personal Estate. No Member a Bank-  
rupt in respect of his Stock. Company to have the sole  
Trade, others trading thither without License to forfeit  
Ship and Goods, and double Value. Company not to  
owe more than their Capital Stock undivided, which is  
liable for Debt. An additional Duty of 5 *per Cent.* is laid  
on *East-India* Goods for the Company to maintain Forts,  
&c. There's a Proviso in this Act of Redemption of  
the Fund by Parliament on Payment of the two Millions.

This Act was made for uniting the two *East-India* 6 *Anne, c. 17.*  
Companies. The *English* Company trading to the *East-Indies*  
to advance and pay into the Exchequer 1200,000 *l.*  
and borrow by their common Seal on their united Stock  
1500,000 *l.* more than they could before this Act. The  
1200,000 *l.* deemed an Addition to the Stock of the  
Company. Persons entitled to 7200 *l.* Part of the 2000000 *l.*  
the original Stock, and have not united, may enjoy their  
Trade

Trade as if this Act had not been made; but the Company may pay the same in three Years, and the Annuities at 8 per Cent. and then the whole Trade vested in the Company. The Proviso of Redemption 9 W. 3. repeal'd. But a further Proviso inserted.

10 Anne,  
c. 9.

The East-India Company may enter Goods imported by Bills at sight, and give Security for Payment of the Customs under their Common Seal. Wrought Silks, Bengals, and Stuffs mix'd with Silk of the Manufacture of East-India, China, or Persia, and Callicoes painted, dyed, or stained imported, are prohibited to be worn, by 11 & 12 W. 3. c. 10.

The Interest at 8 per Cent. sunk to six and five by subsequent Acts.

Ecclesiastical Jurisdiction, see Bishops, Appeal.

### Election of Ecclesiastical Persons, &c.

Westm. 1.

c. 5. 3 E. 1.

9 E. 2. c. 14.

31 El. c. 6.

**N**ONE to disturb any Person from making free Election on pain of great Forfeiture.

There shall be a free Election for the Dignities of the Church.

Persons having a Voice taking any Reward for Election in any Church, College, School, Hospital, &c. the Election to be void. Persons of such Societies resigning Places for Reward, the Party giving it to forfeit double, and the Party taking incapable of such Place. If any Person for Reward present any Person to a Benefice, the Presentation to be void. And giving or taking such Reward, to forfeit double Value of one Year's Profit of his Living; corrupt Resignations or Exchanges the same.

Election of Members of Parliament, see Parliament.

Entry.



## Entry.

**W**HEN so many Alterations have been, that the *Marlb. 29.*  
Writ of Entry cannot be made in usual Form, *52 H. 3.*  
the Plaintiff to have a Writ of Entry *sur Disseisin en le Poft*  
to recover Seisin.

If a Woman alien her Dower in Fee, or for Life, the *6 E. 1. c. 7.*  
next Heir, &c. to recover by Writ of Entry.

Descent shall not take away the Entry of the Disseisee, *32 H. 8. c. 33.*  
&c. where a Disseisor dies seised, not having had peace-  
able Possession five Years.

In Actions for Recovery of Lands, &c. Entry to be *21 Jac. 1.*  
made in twenty Years, &c. But where a Fine of Lands *c. 16.*  
is pass'd, Entry must be made within five Years after the  
Proclamation. And by Statute 4 & 5 *Anna* no Claim or  
Entry shall avoid a Fine, unless an Action be commenc'd  
in one Year after such Entry.

## Error.

**T**HE Lord Chancellor, &c. with the Assistance of *31 E. 3. c. 12.*  
the Justices, Barons of the Exchequer, &c. to exa-  
mine and correct erroneous Judgments given in the Ex-  
chequer.

No Fine, Recovery, &c. shall be reverfible for false *23 Eliz. c. 3.*  
Latin, Razure, interlining, mis-entring, or other Mat-  
ter of Form.

Where a Judgment is given in the King's Bench, in *27 El. c. 8.*  
Debt, Detinue, Covenant, Account, Action upon the  
Case, Trespafs, &c. the Plaintiff or Defendant may sue  
forth a Writ of Error, unless the Queen be Party, com-  
manding the Chief Justice to cause the Record to be  
brought before the Justices of the Common Pleas, and  
Barons of the Exchequer, and after Examination to be  
remanded, and the King's Bench may proceed.

- 31 *Eliz. c. 1.* Three Justices of the Common Pleas, or Barons of the Exchequer, may receive Writs of Error, award Process thereon, &c. The not coming of the Chancellor, &c. at the Day of Adjournment, no Discontinuance of the Writ of Error.
- 16 *Car. 2. c. 2.* The Lord Chancellor and Lord Treasurer to be present when Judgment given in Error.
- 20 *Car. 2. c. 4.* But by this Statute Judgment may be given on Writs of Error in the Exchequer before the Lord Keeper, in the Absence of the Treasurer.
- 30 *Car. 2. c. 6.* In Actions real, personal and mixt, the Death of either Party between Verdict and Judgment not alledged for Error. Made perpetual by 1 *Jac. 2.*
- 7 & 8 *W. 3. c. 32.* Writs of *Venire, Habeas Corpora*, &c. sued out according to this Statute, not erroneous, or assignable for Error. See *Juries*.
- 4 & 5 *Anna, c. 16.* Upon quashing Writs of Error for Defect or Variance from the Record, the Defendant to have Costs, as if Judgment had been affirmed.

See *Jeofails*.

### Escapes.

- 1 *R. 3. c. 3.* Justices of Peace have Power in Sessions to enquire of Escapes of Felons.
- 3 *H. 7. c. 1.* Where a Person is kill'd in the Day-time, and the Murderer escapes, the Town to be amerced.
- 8 & 9 *W. 3. c. 27.* Keepers of any Prison suffering a Prisoner committed on mesne Process or Execution to be out of the Rules, except on a *Habeas Corpus*, or Rule of Court, it shall be deemed an Escape. See more under the Head *Prisons and Privileged Places*; and Statute 1 *Anna, c. 6.* for Escape-Warrants, under the same Head.
- It is Felony for any Person to break Prison and escape, being in for Felony. And in criminal Matters, Goalers, &c. wilfully suffering an Escape, to be punished for the same Crime for which the Party escaping stood committed.

**Escheators.**

**BY** this Statute Escheators are to be chosen by the Chancellor, Treasurer, and Chief Baron, calling to them the two Chief Justices.

Escheators Inquests to be taken by good and lawful Men resident in the County, and indented between them and the Jurors.

Escheators to have 20 l. per Annum in Fee, and to execute the Office in Person.

Taking other Inquests than such as are impanelled by the Sheriff, to forfeit 40 l. Lands seized by the Escheator not to be let to farm before the Office be fully returned, which is to be done in a Month, under the Penalty of 20 l.

No Lands to be granted before the King's Title found by Inquisition.

The Escheator not to take above 40 l. for executing a Writ, under the Penalty of 40 l.

Escheator not taking upon him the Office in a Month, to forfeit 20 l. And if he takes more than 15 l. Fees, &c. for finding an Office, where the Lands exceed not 5 l. per Annum, he shall forfeit 5 l.

**Essoins.**

**A**fter Issue joined in Dower, *Darrein Presentment*, or *Quare Impedit*, one Essoin or one Default only to be allowed; and if the Party come not, the Inquest to be taken, and Judgment given.

In Affise, Attaints, and *Juris utrum*, after Appearance the Tenant not to be essoined.

Essoin *ultra more* not to be allowed, but if the Tenant be within the four Seas, turned into a Default.

No Essoin for any Appellant.

An Essoin may be allowed the next Day after Inquest, but not at any of the other Days following.

H

14 E. 3. c. 8.

34 E. 3. c. 13.

41 E. 3. c. 5.

8 H. 6. c. 16.

18 H. 6. c. 6.

23 H. 6. c. 17.

43 H. 8. c. 2.

Marlb. 13.

52 H. 3.

Westm. 1.

42. 3 E. 1.

Westm. 1. 44

3 E. 1.

Westm. 2.

13 E. 1.

Westm. 2.

In 27. 13 E. 1.



Stat. de  
Effoins,  
12 E. 2.

Essoin does not lie where Lands are taken into the King's Hands; the Party distrained by his Lands; any Judgment is given; the Party seen in Court; where a Sheriff is commanded to make the Party appear, &c. And Essoin *de servitio Regis* lieth not where the Party is a Woman; in a Writ of Dower; where the Party hath an Attorney in his Suit; the Summons is not returned, &c.

### Estreat.

51 H. 3.

Justices, Commissioners, &c. to deliver Estreats into the Exchequer yearly after *Michaelmas*.

3 E. 1.

If a Tenant or Defendant make Default after the first Attachment returned, the great Estreat or Distress shall be awarded.

15 E. 2.

All Fines to have Writs, which are to be sent into the Exchequer, and entered in the Estreat, in order as they are entered in the Chancery Rolls; next to them shall be entered Charters, Letters Patent, &c. in which any Rent is reserved to the King.

42 E. 3. c. 9.

The Party chargeable by the Estreats of green Wax, upon Payment to see the Schedules under Seal, &c. And if it be not torted by the Sheriff, he shall pay treble Damages.

14 R. 2. c. 11.

Double Estreats of Fines, &c. at the Sessions to be made, containing the Names of the Justices, &c. and one of them delivered to the Sheriff by Indenture, out of which he is to satisfy the Allowance to the Justices for Wages, &c.

11 H. 7. c. 15.

Sheriffs Estreats to be in two Parts indented, and seal'd by the Sheriff and two Justices of Peace, who are to view them, and one of them is to remain with the Sheriff, and the other with the Justices.

27 El. c. 7.

Issues estreated to be levied upon the right Persons under the Penalty of five Marks, to be paid by the Clerk of the Estreats and the Officers executing.

22 & 23

Fines, Post-Fines, Forfeitures, &c. to be estreated into the Exchequer twice a Year, on pain of 50 l.

Officers

Officers to deliver Returns of Estreats into the Exchequer on Oath. 4 & 5 W. & M. c. 24.

## Evidence.

**I**F an Action be brought against a Justice of Peace, Mayor or Bailiff of a Corporation, Headborough, Tythingman, or Collector of Subsidies, for any Thing done in their Offices, they may plead the general Issue, and give the special Matter in Evidence. And if the Plaintiff be nonsuited, discontinued, &c. the Defendant to have double Costs. And by 21 Jac. 1. c. 12. this extends to Churchwardens and Overseers of the Poor. 7 Jac. 1. c. 5.

Shop-Books not to be given in Evidence for Wares above a Year before the Action commenced. 7 Jac. 1. c. 12.

Copies of Conveyances of Free-Farm Rents allowed to be good Evidence in any Court. See Free-Farm Rents, Car. 2. c. 24.

Copies of Leases of Augmentations made by Bishops, &c. entered by Registers, and examined and attested by such Bishops, &c. to be Evidence at Law, being proved by two Witnesses. 29 Car. 2. c. 8.

Deeds or Instruments written or engross'd on Parchment or Paper not stamp'd, not to be pleaded or given in Evidence in any Court. 5 & 6 W. & M. c. 21.

No Quaker to give Evidence in any Criminal Cause, to serve on a Jury, &c. 7 & 8 W. 3. c. 34.

In Treason to be two lawful Evidences to the same Overt-Act, or two Acts of the same Treason; but the Party accused is not to have a Note of their Names before Trial, tho' he is to have a Copy of the Indictment, And they are to be upon Oath to speak the Truth, and nothing but the Truth, &c. A perjur'd Person may not give Evidence. See Perjury. 7 W. 3. c. 3. 1 Ann. c. 9.

Action lies against an Evidence for not appearing. See Actions.

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### Exception.

Westm. 1.

31. 13 E. 1.

7 W. 3. c. 3.

**I**F the Justices refuse to allow a Bill of Exception, the Party impleaded may require their Seals to it, on tendering the same, &c.

Exception to be taken for miswriting, false Latin, &c. in an Indictment for Treason, &c. by the Prisoner or his Counsel in Court, before Evidence be given in Court, or it shall not be quash'd, or any Process thereupon, on Motion.

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### Exchequer.

51 H. 3.

**A**LL Sheriffs, Bailiffs, Escheators, and other Officers to account in the Exchequer before the Treasurer and Barons. About the Feast of St. Margaret, before the Close of the Exchequer, Search to be made whether any Sheriff or Bailiff have failed to account that Year, and if any have, the Sheriff's Account to be first heard after Michaelmas; but if a Bailiff, he shall be summoned or distrained to account at a Day certain. See Sheriffs.

10 E. 1.

The Bodies of Shires to be written in a certain annual Roll, and read every Year on the accounting of Sheriffs; in these annual Rolls the Profits of Counties, &c. to be written. Two Knights in every County to be present at the Delivery of Tallies, who are to send one Part indented to the Exchequer. Inquisitors to be appointed in every County of Debts due, of what paid, and what not. No Suit to be prosecuted in the Exchequer-House, unless it concerns the King and his Officers there.

1 R. 2. c. 5.

If any Officer in the Exchequer make out a Process for a Debt already paid, he shall forfeit his Office, be imprisoned, &c.

5 R. 2. c. 9.

Persons impeach'd in the Exchequer may plead in their own Discharge.



The Clerk of the Pipe and the two Remembrancers to 5 R. 2. c. 14.  
be sworn to make due Entry every Term of all Writs for  
the Discharge of Persons, &c.

No Writs, &c. to issue out of the Remembrancer's 17 ac. 1. c. 26.  
Office in the Exchequer upon Supposition only; but it  
must be upon just Ground. And the Treasurer's Remem-  
brancer shall satisfie every Person injured upon a bare  
Supposition. The Remembrancer may issue Process for  
the Discovery of Tenures, by Order of the Court.

Persons to whom any Money shall be due in the Ex- 19 Car. 2.  
chequer, and have any Order registred for Payment, may c. 12.  
assign the same by Indorsment; which being entred in  
the Auditor's Office, the Assignee to have the Benefit  
thereof.

Officers of the Receipt of the Exchequer may receive 5 & 6 W.  
and take for their Fees 1 d. in the Pound for Sums issued & M. c. 20.  
out, &c.

Officers of the Exchequer without Delay to receive 8 & 9 W. 3.  
Moneys brought thither, weighing the same in Sums or c. 18.  
otherwise, and enter the Receipt, sending a Bill into the  
Tally-Court, whereby a Tally may be duly levied. The  
Money in the Receipt to be kept in Chests under three  
different Locks and Keys; the Teller to keep one, the  
Clerk of the Pells one, and the other to be kept by the  
eldest of the two Deputy-Chamberlains. The Auditor of  
the Receipt once a Month to visit every Teller's Cash, and  
examine that the Tellers really have the Money they are  
charged with, and once in three Months examine the  
Tellers Vouchers.

The Duties upon Houses made chargeable with 4 l. 5 Anne, c. 13.  
10 s. per Cent. per Annum to the Bank of England for  
circulating Exchequer Bills. The Lord Treasurer may  
cause Exchequer Bills to be made of any Sum not exceed-  
ing 1500,000 l. for the Use of the War. Officers of the  
Exchequer diverting or misapplying the Moneys appro-  
priated for the 4 l. 10 s. per Cent. to forfeit their Offices,  
and pay treble Damages and Costs. The Bank not pay-  
ing Bills, Actions may be brought against the Company,  
and the Money and Damages recovered. One Part of  
the Indents of Bills to remain with the Bank. Exche-  
quer Bills lost, upon Affidavit before a Baron of the Ex-  
chequer, and Certificate from such Baron, and Security  
given, to pay the same, and make out Duplicates. When

## Interest on Bills.

Bills are defac'd, new ones to be delivered. Forging Exchequer Bills or the Indorsment thereon, Felony.

By the Statute 7 & 8 W. 3. c. 31. the King or his Officers in the Exchequer may borrow Money at 7 per Cent. or upon the Credit of Bills payable on Demand with Interest not exceeding 3 d. per diem for every 100 l. By 8 & 9 W. 3. c. 20. an Interest of 5 d. a Day is allowed for every 100 l. But by 12 W. 3. c. 1. the Interest on such Bills is lower'd to 4 d. a Day for 100 l. And by

12 Ann. c. 11. 12 Anne, c. 11. it is sunk to 2 d. a Day. And the Bank to have 3 per Cent. for circulating, &c.

## Excise.

12 Car. 2.  
c. 23.

BY this Statute was granted to the King for Life an Excise on Beer, Ale, Cyder, Vinegar, strong Water, &c. Brewers not making Entries, &c. to forfeit 5 l.

15 Car. 2.  
c. 11.

Brewers, &c. erecting any Back, Cooler, Copper, &c. without giving Notice, or keeping any private Storehouse, &c. 50 l. And bribing a Gauger incurs the Penalty of 10 l.

1 Jac. 2.  
c. 11.

The Duties upon Beer, Ale, Cyder, &c. are by this Act granted to King James for his Life; but this Statute was repealed by 2 W. & M.

1 W. & M.  
c. 24.

By this Act the Duties of Excise were granted to King William and Queen Mary for three Years.

2 W. & M.  
Sess. 1. c. 3.

The Duties on Beer, Ale, &c. are by this Act granted to their Majesties during their Lives. And Persons may advance 250000 l. on the Credit of this Act at 8 per Cent. and have Tallies of Loan to be delivered out, &c. Their Majesties by Letters Patent may grant 20000 l. per Ann. out of these Duties to the Princess Anne of Denmark.

2 W. & M.  
Sess. 2. c. 9.

This Act imposes a Duty of Excise on Low Wines, Spirits, or Brandy drawn from Corn, &c.

2 W. & M.  
Sess. 2. c. 10.

By this Statute additional Duties are granted on Beer, Ale, &c. And his Majesty is enabled to borrow a Sum not exceeding 1000000 l. on the Credit of this Act for the Uses of the War.

This

This Statute grants the additional Duties on Beer, Ale, &c. for Ninety-nine Years. The Sums paid into the Exchequer to be a Fund for paying Annuities of 10 per Cent. upon Survivorship of Lives for Ninety-nine Years, or 14 per Cent. for a single Life, to the Contributors of the 1000000 l.

A Duty on Low Wines, Spirits, &c. continued. Persons having private Tons, Pipes, &c. forfeit 40 l. 500,000 l. was borrowed on the Credit of this Act at 6 per Cent. 7 & 8 W. 3. c. 30.

Brewers, &c. keeping any Pipe or Stop-cock under Ground, or other private Conveyance for Worts, &c. to defraud the Excise, liable to a Penalty of 100 l. Opposing a Gauger in the Search 50 l. 8 & 9 W. 3. c. 19.

This Statute imposes an Excise of 6 d. per Bushel on Malt, and a Duty on Sweets. Maltsters altering their Vessels for steeping of Barley, without giving Notice to an Officer of Excise, or keeping private Vessels, forfeit 50 l. The Moneys arising by the Duties appropriated to the Payment of 1400000 l. borrowed on this Act in Malt Tickets at 10 l. each bearing a Farthing a Day Interest, &c. 8 & 9 W. 3. c. 12.

This Act grants additional Duties on Sweets, &c. 10 & 11 W. 3. c. 21.

A weekly Sum of 3700 l. out of the Hereditary Excise, and Tonnage and Poundage, to be paid into the Exchequer, and appropriated to the Payment of 82000 l. borrowed thereupon at 6 per Cent. 12 W. 3. c. 12.

The Excise on Ale, Beer, &c. granted to King Charles the Second, and King William and Queen Mary; granted to Queen Anne during her Life. This Hereditary Excise, Revenue of the Post Office, &c. chargeable with the yearly Sum of 700,000 l. for the Support of the Household. 1 Ann. c. 7.

Acts for continuing the Duties on Malt, &c. 1, 2 & 3 Ann. c. 4.

This Act continues the Excise on Low Wines, &c. 3 Ann. c. 4.

These Acts were made for the Continuance of the Duties on Malt, Mum, Cyder, &c. 4, 5 & 6 Ann.

This Act was likewise made for continuing those Duties; and Malt brought from Scotland, to pay 6 d. per Bushel. 7 Anna, c. 3.

By this Act additional Duties are granted on Beer, Ale, &c. for thirty-two Years. 8 Ann. c. 7.

The Duties on Malt, &c. and Malt brought from Scotland, continued. There's a Clause of Loan in this Act at 6 per Cent. for a Sum not exceeding 650000 l. 9 Ann. c. 3.



- This Act likewise grants a Duty of 1 d. per Pound on Hops. Using Store-houses without giving Notice, &c. 50 l. Penalty.
- 10 & 12  
Anne. By these Acts the Duties on Malt, Mum, Cyder, &c. are farther continued; Persons to lend on the Credit of the Act 12 Anne, 700000 l. at 5 per Cent. free from all Taxes, and have Tallies struck, &c.
- 1, 2 & 3  
Geo. These Statutes continue the Duties on Malt, Mum, &c. yearly.

### Excommunication.

- 38 H. 3. Boniface Archbishop of Canterbury, and the other Bishops with Tapers in their Hands burning, in Westminster-Hall, before the King, and the other Estates of the Realm, denounced a Curse and Excommunication against Breakers of the Liberty of the Church, &c.
- 9 E. 3. Bishops may excommunicate not only all Perturbers of the Peace of the Church, but also Felons, &c.
- 5 Eliz. c. 23. Writs *de excommunicato capiendo* shall issue out in Term-time, and be returnable in B. R. the next Term after the *Teste* thereof, having twenty Days between the *Teste* and the Return. If the Sheriff return a *Non est inventus*, a *Capias* shall issue out with a Proclamation for the Party to yield his Body to the Gaol under the Penalty of 10 l. If he do not appear on the first *Capias* and Proclamation, a second to be granted, and he shall forfeit 20 l. &c. Bishops may receive Submissions, and deliver Excommunicates by Certificate into the Chancery.
- By the King's Letters, Ordinaries may absolve excommunicate Persons.

### Executions.

## Executions.

**W**Here a Debt or Damage is recovered in the King's Court, the Party may have a Writ against the Lands and Chattels of the Debtor; or against all the Chattels, and a Moiety of the Lands, to be delivered in Extent. *W. 2. 18. 13 E. 1.*

A Writ of Execution to be within the Year, and after the Year a *Scire Facias*. *W. 2. 45. 13 E. 1.*

No Execution to be stayed upon any Writ of Error, unless the Party give Security to prosecute, and to pay the Debt and Damages, if the former Judgment be affirmed. *3 Jac. 1. c. 8.*

If a Person die in Execution, new Execution to issue against the Lands, &c. as if he had never been taken in Execution. *21 Jac. 1. c. 24.*

No Execution to be stayed in any of the King's Courts by Writ of Error after a Verdict and Judgment given in any personal Action, unless a Recognizance be entered into according to 3 Jac. 1. Writs of Error brought by Executors, Actions on penal Laws, Indictments, Appeals, &c. are excepted out of this Act. This Statute is made perpetual 22 & 23 Car. 2. *16 & 17 Car. 2. c. 8.*

Sheriffs may deliver in Execution all Lands, &c. where others shall be seised in Trust for him against whom Execution is had, on a Statute, Judgment, &c. But no Writ of Execution to bind the Property of Goods, but from the Time of Delivery to the Sheriff. *29 Car. 2. c. 3.*

Execution upon a Judgment, where an Heir has made over Lands descended to him before Action brought, shall be taken against such Heir to the Value of the Land, &c. *3 & 4 W. & M. c. 14.*

Prisoners in Execution escaping. may be retaken by a new *Capias* or other Execution. Keepers of Prisons not shewing their Prisoners in Execution to the Creditor on Notice, judg'd an Escape. *8 & 9 W. 3. c. 27.*

Goods or Chattels in Messuages, Lands, &c. leased for Years, &c. not to be taken in Execution or extended, unless the Party shall before Removal have paid the Landlord one Year's Rent. *8 Anna, c. 17.*

Executors,

## Executors.

- Westm. 2. 23.* **E**xecutors to have the like Writs, Actions and Pro-  
*13 E. 1.* cess, as the Testator might have had.
- 9 E. 3. c. 3.* Executors of Executors to have Action of Debt, Ac-  
*25 E. 3. c. 5.* count, Goods carried away, and have Execution of Sta-  
 tutes, &c. And to answer to others as the first Execu-  
 tors should have done. In Writ of Debt brought against  
 Executors they shall have but one Essoin.
- 23 H. 6. c. 1.* Servants after the Death of their Masters imbezilling  
 Goods, on Proclamation by Writ from the Lord Chan-  
 cellor to appear in B. R. or be attainted of Felony. And  
 appearing, to be imprisoned till they answer the Exe-  
 cutors.
- 21 H. 8. c. 4.* Those Executors which take upon them the Charge of  
 the Will, may sell Lands devised to be sold, without the  
 others.
- 32 H. 8. c. 37.* Executors or Administrators of Tenants in Fee-simple,  
 Fee-tail, or for Term of Life, &c. to have Actions of  
 Debt for all Arrearages of Rent, and take Distresses a-  
 gainst the Tenants in Possession, &c.
- 43 Eliz. c. 8.* Persons obtaining any Goods or Debts of an Intestate,  
 or Releases of any Debt, &c. by Fraud, procuring Ad-  
 ministration to be granted to a Stranger, &c. are charge-  
 able as Executors in their own Wrong, &c.
- 30 Car. 2. c. 7.* Executors of Executors or Administrators who waste  
 any of the Estate of the Person deceased, or convert it  
 to their own Use, shall be chargeable as the Testator in-  
 testate would have been. This Act is made perpetual by  
*4 & 5 W. & M.*
- 29 Car. 2. c. 3.* No Action shall charge an Executor on a special Pro-  
 mise to answer Damages out of his own Estate; or any  
 other on an Agreement not to be performed in a Year,  
 unless it be in Writing.
- 8 & 9 W. 3.* This Statute which gives Costs to Defendants acquit-  
*c. 11.* ted in Actions of Trespass, Assault, &c. extends not to  
 Executors or Administrators.

Actions



ACTIONS of Account may be brought against Executors and Administrators of Guardians, Bailiffs, Receivers, &c. 4 & 5 Anne, Re- c. 16.

An Executor to pay Debts before Legacies, and Debts of a higher Nature before others, viz. First Debts to the King, then Debts on Record by Statutes, &c. Debts on Mortgages, Bonds, &c. Rent, Servants Wages, Debts on Shop-Books, &c. or he is liable to the whole.

### Exigent and Outlawry.

BY this Statute Exigents are to be awarded against Receivers of the King's Treasure, Conspirators, Rioters, &c. 18 E. 3.

Where an Exigent is awarded, a Writ of Proclamation shall be issued out to the Sheriff to make three Proclamations for the Defendant to yield himself, before Outlawry shall be pronounced. 6 H. 8. c. 4.

This Act likewise orders a Writ of Proclamation to be issued out in every Action personal where an Exigent shall be awarded, and three Proclamations to be made by the Sheriff in the County where the Defendant dwells; and Outlawries otherwise had to be void. 31 Eliz. c. 3.

Upon granting any Exigent for a criminal Matter, before Conviction, there shall issue a Writ of Proclamation, &c. according to 31 Eliz. &c. made perpetual 7 & 8 W. 3. c. 36.

When outlawed Persons may appear by Attorney, and reverse the Outlawry. And the Sheriff may take an Appearance, &c. See Title Appearance. 4 & 5 W. & M. c. 18.

Extortion.

## Extortion.

- Westm.* 1. 26. **N**O Sheriff, or other Officer of the King's to take any  
 3 E. 1. Reward for executing his Office.  
*Westm.* 1. 30. Officers and Marshals of Justices, &c. guilty of Ex-  
 3 E. 1. tortion, to render treble Value.  
 28 H. 6. c. 5. Officers of the Customs making undue Charges and Im-  
 positions, &c. Merchants may recover 40 *l.* Damages by  
 Action of Trespass for such Extortion.

## Fairs and Markets.

- 2 E. 3. c. 15. **F**Airs kept longer than they ought, to be seized into  
 the King's Hands; and Proclamation to be made how  
 long Fairs to continue.  
 5 E. 3. c. 5. Merchants not to sell Wares after the Fair is ended, on  
 pain of forfeiting double Value.  
 17 E. 4. c. 2. In the Court of Piepowder the Plaintiff to make Oath  
 that the Matter of the Declaration was done within the  
 Jurisdiction and Time of the Fair. Steward holding  
 Plea otherwise to forfeit 5 *l.*  
 3 H. 7. c. 9. This Statute authorizes Citizens of London to carry  
 their Wares to Fairs and Markets out of the City.  
 2 & 3 P. & 3 M. c. 7. Owners of Fairs or Markets to appoint Toll-takers or  
 Book-keepers, on pain of 40 *s.* And they to give Account  
 of Horses sold, &c. under the like Penalty.  
 31 Elix. c. 12. Sellers of Horses to procure Vouchers of the Sale of  
 the Horse to them, and for every false Voucher shall for-  
 feit 5 *l.* The Names of the Buyer, Seller and Voucher,  
 and Price of the Horse to be entred in the Toll-taker's  
 Book, and a Note thereof delivered to the Buyer. A  
 Horse stolen may be redeemed by the Owner in six  
 Months, repaying the Buyer, &c.

**Fees.**

**B**Y this Statute the ancient Fees of Marshals, Chamberlains, &c. of Justices in Eyre, were settled, viz. the King's Chamberlains to have of Archbishops, Bishops, Earls, Barons, &c. holding an intire Barony, a Fine when they do Homage; and of other Spiritual and Temporal Persons, who hold not an intire Barony, the Chamberlain to have their upper Garments, or the Price thereof, &c. *Westm. 2. 42. 13 E. 1.*

Porters to Justices in the Circuit, for Homage done in the Bench to have the upper Garment; for keeping a Jury 10 d. Upon a Recovery 4 d. On Attaints, great Assizes, &c. 1 s. Pleas of the Crown 1 s. per Dozen. For every Prisoner delivered 4 d. The Chirographer's Fee 4 s. Clerk for every Writ 1 d. *Westm. 2. 44. 13 E. 1. 13 E. 2.*

On Writs of Execution Sheriffs to have 12 d. in the Pound for the first 100 l. and 6 d. for every 100 l. after. *29 Eliz. 6. 4.*

Attorneys not to take unreasonable Fees, &c. See 3 Jac. 1. under Title Attorneys.

See more, Clerk of the Signet, Sheriffs.

**Fee-Farm Rents.**

**T**HIS Statute enables the King by Letters Patent to grant divers Fee-Farm Rents due in Right of his Crown, or in Right of his Duchies of Lancaster and Cornwall, except Quit-Rents, &c. to Trustees to make Sale thereof. The Trustees to convey the same by Bargain and Sale to Purchasors, who may recover the same as the King might. Contractors to pay a Moiety of the Purchase-Money into the Exchequer on agreeing, and the Remainder on Delivery of the Conveyance. Immediate Tenants to be preferred in the Purchase before others. Contracts for Sale to be signed by the Lord Treasurer, &c. *22 Car. 2. c. 6.*

By



- 22 & 23  
Car. 2. c. 24. By this Act the Fee-Farm Rents are vested in *Francis Lord Hawley*, and five others, and their Heirs to make Sale, &c. No Tenant in Tail of any of the said Rents, enabled to bar the Remainder.
- 9 & 10 W. 3.  
c. 18. Auditors, Receivers, &c. of Fee-Farm Rents to allow 3 s. for every 20 s. Rent, to the Persons paying the same; and if Estates distressed by Auditors for Money which ought to be allowed, they shall forfeit 100 l. This was enacted in Consideration of the Fee-Farm Rents being taxed.

### Felony.

- 5 H. 4. c. 5. **M**alicious cutting out the Tongue, or putting out the Eyes, Felony.
- 8 H. 6. c. 12. Imbezilling of Records made Felony.
- 1 H. 7. c. 7. Persons hunting in Forests, &c. in the Night, or disguised, and concealing the Fact on Examination, Felony.
- 3 H. 7. c. 2. To carry away a Woman against her Will, having Lands or Goods, or being Heir apparent, &c. declared Felony.
- 3 H. 7. c. 14. The King's Servants conspiring against his Life, or the Life of a Privy Counsellor, &c. is Felony. Assaulting a Privy Counsellor the same, by a late Act 9 Ann. c. 16.
- 21 H. 8. c. 7. Servants going away with their Masters Goods to the Value of 40 s. Felony.
- 1 E. 6. c. 12. Wilful killing by poysoning, adjudged Murder, and Felony.
- 21 Jac. 1.  
c. 26. To acknowledge any Fine, Deed inroll'd, Statute, Bail, &c. in the Name of any Person, Felony without Clergy.
- 22 & 23  
Car. 2. c. 1. Cutting out a Tongue, &c. Slitting the Nose, or disabling any Limb, &c. Felony.
- 22 & 23  
Car. 2. c. 7. Persons maliciously burning any Risks of Corn, Hay, Barns, or other Buildings, or destroying Horses, Sheep, &c. guilty of Felony. Hurting any Horses, Cattle, &c. to pay treble Damages.
- 10 & 11  
W. 3.  
5 Ann. These Statutes make it Felony to steal Goods, &c. from Shops, Warehouses, Coach-houses, &c. to the Value of 5 s. and order a Reward of 40 l. for apprehending House-breakers, &c. See Burglary.

Stealing

Stealing Chattels, &c. which Persons by Contract are to use, Felony.

To cast away a Ship wilfully, or cause the same to be done, is Felony. 1 Anne.

Counterfeiting Exchequer Bills or any Indorsement, &c. or tendering, knowing the Forgery, Felony. Lottery Tickets, &c. the same. 7 Anne, c. 7.

Servants purloining or imbezilling their Masters Goods, &c. to the Value of 40 s. Felony. 12 Anne.

By this Statute rioting is made Felony, and also demolishing Meeting-houses, Dwelling-Houses, &c. 1 Geo. c. 6.

Persons maliciously setting on Fire, or burning any Wood, Underwood or Coppice, guilty of Felony. 1 Geo. c. 48.

This Statute orders Transportation of Felons within the Benefit of Clergy. The King shall have all the Goods of Felons and Fugitives, and the Year, Day and Waste of Lands, &c. 4 Geo.

See more of Felony, Clergy, Burglary, &c.

## Fines and Recoveries.

A Final Concord cannot be levied in the King's Court without Original Writ before four Justices in the Bench or Eyre, and to be in the Presence of the Parties, who are to be of full Age, good Memory, &c. And if a Feme Covert be one, she is to be privately examined, if she consents freely, and if she does not, the Fine cannot be levied. Fine bars all Persons of full Age, out of Prison, in the four Seas, &c. Stat. de Finibus, 18 E. 1.

No good Exception to a Fine levied, that the Demandant was seized of the Land, &c. 27 E. 1.

Demandants and Tenants to appear before the Justices, that their Age, Defects, &c. may be discerned, &c. But if not able, Commissioners to take Cognizance. 15 E. 2.

Plea of Non-Claim of Fines to be no Bar hereafter. 34 E. 3. c. 16.

The Chirographer to take but 4 s. Fee for a Fine, on pain to forfeit his Office, pay treble Damages, &c. 2 H. 4. c. 8.

Writs of Covenant, *Debitum*, and all Notes of Fines to be recorded in the Common Pleas. 5 H. 4. c. 14.

A Fine

- 1 R. 3. c. 7. A Fine after the ingrossing to be openly read and proclaimed in the Common Pleas, and a Transcript to be sent to Justices of Assize, and another to Justices of Peace of the County where the Land lieth, to be openly proclaimed there; which being certified, concludes all Persons; Persons under Age, in Prison, &c. excepted, if they lay not Claim by way of Action or Entry in five Years. Persons out of the Land or non-sane, &c. five Years after Imperfections removed.
- 4 H. 7. c. 24. Every Fine after the ingrossing to be proclaimed in Court the same Term, and the three next Terms, four several Days in each Term, and being so proclaimed, shall conclude all Persons, &c.
- 32 H. 8. c. 36. Fines levied by Persons of Lands Intailed to themselves or their Ancestors, &c. a good Bar against their Heirs claiming only by such Intail.
- 34 & 35 H. 8. c. 20. Feigned Recoveries by Assent of Parties, of Lands, &c. the Reversion whereof is in the King, not to conclude the Heir in Tail, but after the Death of Tenant in Tail he may enter, &c.
- 14 Eliz. c. 8. Recoveries prosecuted by Tenants by the Currie, Tenants for Life, &c. to be void, as against the Reversioners, &c.
- 23 El. c. 3. Fines and Recoveries not to be reversed for false Latin, Interlineation, Razure, &c. The Day and Year of the acknowledging a Fine, and Warrant of Attorney for the suffering a Recovery to be certified with the Concord. An Office to be erected for the Inrollment of Writs for Fines and Recoveries, under the Care of one of the Justices of the Common Pleas. Fees for Inrollment 6 s. 8 d. Exemplification 5 s. Search for every Term 4 d. &c. Chirographer the first Day of every Term to fix in the Court of Common Pleas a Table containing the Fines pass'd in any one Term of each County, &c. on pain of 5 l.
- 31 El. c. 2. Fines to be proclaimed four Times only, once in the Term ingross'd, and once in each of the succeeding Terms.
- 31 Car. 2. c. 3. This Statute was made for new ingrossing and passing Fines, &c. recorded and burnt by the Fire which happened in the Temple.
- 4 & 5 Ann. c. 16. Declarations of Uses or Trusts by Deeds made after Fines and Recoveries pass'd, to be good in Law. And no Claim or Entry to avoid any Fine with Proclamations, unless an Action be commenced in one Year after such Entry, and prosecuted with Effect. No Fine or Recovery



very reverſable for Error, unleſs the Writ of Error be proſecuted with Effect in twenty Years after the Fine levied, &c. See 10 & 11 W. 3. This Act was made for quieting Mens Titles under ancient Fines, &c.

To acknowledge a Fine, &c. in the Name of another, Felony. See Title Felony.

### Fire, Fireworks, &c.

**C**HURCHWARDENS within the Bills of Mortality to fix 6 Anne, c. 31.  
Fire-Cocks, &c. at proper Diſtances in Streets, and keep a large Engine and Hand-Engine for extinguishing Fire, under the Penalty of 10 l. Servants through Negligence cauſing any Houſe to be burnt, to forfeit 100 l. or be committed to the Workhouſe for eighteen Months. Workmen to erect Party-Walls between Buildings, and to have no Cornice of Wood, &c. under the Penalty of 50 l.

This Act enables Churchwardens, Overſeers of the Poor, and Inhabitants in a Veſtry, to rate and aſſeſs competent Sums for defraying the Charge of providing and maintaining Engines, &c. 7 Ann. c. 17.

Persons making or ſelling Squibs or other Fireworks forfeit 5 l. And Perſons throwing or firing, or permitting to be thrown any Squibs, &c. from their Houſes, &c. forfeit 20 l. 9 & 10 W. 3.

### First-Fruits and Tenths.

**T**HE First-Fruits and Profits for one Year of every 26 H. 3. c. 3.  
Spiritual Living by this Act are granted to the King. The Lord Chancellor, &c. or Commiſſioners, to examine into the Value. Clergymen entering on their Livings before the First-Fruits paid or compounded, to forfeit double Value. A Rent out of every Spiritual Living amounting to a tenth Part of the yearly Value, to be paid the King annually.

- 2 & 3 E. 6. The Penalty for Default in Payment of Tenths, Forfeiture of the Benefice out of which the same is due.  
 c. 20.  
 1 Eliz. c. 4. By this Act First-Fruits and Tenths to be within the Survey of the Court of Exchequer. Incumbent on a Benefice not living half a Year, or ousted before the Year, his Executors to pay only a fourth Part of the First-Fruits, and if he lives the Year and die, and be ousted in six Months after, only half the First-Fruits to be paid.  
 2 Anne, c. 11. The Queen by Letters Patent to incorporate Persons, and settle upon them the First-Fruits of all Benefices for the Maintenance of the poor Clergy. Benefices under 50 l. a Year discharged from First-Fruits.

### Fish and Fishing.

- 13 E. 1. **N**ONE to take Salmon between the 8th of September and the 1st of November.  
 13 R. 2. This Statute enacts, That no Fisherman shall use any Engine to destroy the Fry of Fish.  
 17 R. 2. c. Justices of Peace to be Conservators of Rivers, and punish Offenders by Imprisonment.  
 2 H. 6. c. 15. None shall fasten Nets, &c. across Rivers to destroy Fish, and disturb Passage of Vessels, on pain of 5 l.  
 31 H. 8. c. 2. By this Act Persons are prohibited from fishing in any Pond or Moat, &c. without the Owner's License, on pain of three Months Imprisonment. Breaking down Fish-pond Heads the same Penalty. 5 Eliz.  
 1 Eliz. c. 17. Persons using any Net or Engine to destroy the Fry of Fish, or taking Salmon or Trouts out of Season, or Salmon shorter than sixteen Inches, Trout eight, Pikes ten, Barbels, twelve Inches, &c. to forfeit 20 s. Lords of Leets, &c. have Power to put these Acts in Force.  
 3 Jac. 1. c. 12. None shall erect a Wear along the Sea-shore, &c. or within five Miles of any Haven, &c. under the Penalty of 10 l.  
 13 & 14 Car. 2. c. 28. Fish not to be taken with Drift-Nets, Trammels, &c. within a League and a half of the Shore of Cornwall or Devon, on pain of Forfeiture, and one Month's Imprisonment. Imbezillers of Pilchards to satisfy treble Value.

No Person shall take any Fish in any River without 21 & 23  
Consent of the Owner, under the Penalty of 10 s. for Car. 2. c. 25.  
the Use of the Poor, and treble Damages to the Party  
grieved. Nets, Angles, &c. of Pochers to be seised.

This Statute directs that Nets for fishing in the Severn 30 Car. 2. c. 9.  
are to have the Mesh two Inches and a half square from  
Knot to Knot, &c. under the Penalty of 5 l. Destroying  
the Spawn of Fish between the first of March and the last  
of May, forfeit 40 s.

Persons buying Fish in Billingsgate Market may sell the 10 & 11 W. 3.  
same in any other Market in London by Retail; but none c. 24.  
shall buy any Quantity of Fish there for other Persons,  
or ingross the Market, under the Penalty of 20 l.

This Act was made for the Increase and Preservation of 4 & 5 Anne,  
Salmon, in Rivers in the Counties of Southampton c. 21.  
and Wilts. Salmon not to be taken after the 30th of June  
till the 11th of November. Taking them under Size, &c.  
Penalty not under 20 s. nor above 5 l. &c.

Masters of Ships not to import Herring, Pilchards, &c. 1 Geo. c. 16.  
bought of Foreigners, or sell the same in England, under  
the Penalty of 20 l. Fish sold are to be Bret and Turbet  
sixteen Inches long, Bril fourteen, Codlin twelve,  
Whiting six, Plaice, &c. eight, Flounder seven, &c.  
Inches long, on pain of 20 s.

### Forcible Entry.

NO Person to enter into Lands or Tenements by 5 R. 2. c. 7.  
Force on pain of Imprisonment.

When Forcible Entry is made into Lands, &c. Justices 15 R. 2. c. 2.  
of Peace to commit Offenders to Gaol, &c.

On Complaint of Forcible Entry a Justice of Peace by 8 H. 6. c. 9.  
Precept is to command the Sheriff to summon a Jury to  
enquire of the Force, and to cause the Tenements to be  
seised. Head Officers of Corporations have like Power.  
No Force where a peaceable Possession had three Years.

By this Act Justices of Peace have Power to give Resti- 21 Jac. 1.  
tution where Lands are detained by Force. c. 15.

### I 2 Forests,



## Forests, Chases, &amp;c.

*Charta de  
Foresta.*

9 H. 3. c. 1.

3 E. 1. r. 20.

21 E. 1.

14 E. 1. c. 1.

1 E. 3. c. 8.

1 E. 3. c. 2.

7 R. 2. c. 4.

32 H. 8. c. 35.

16 & 17

Car. 1. c. 16. Forests.

Three Courts of Swainmote to be held for Forests in the Year; one fifteen Days before *Michaelmas*, another about *Martinsmas*, and the third fifteen Days before *Midsummer*. Peers may kill a Deer or two in a Forest through which they pass, when they are sent for by the King, &c. Three Claws of the Fore-feet of Dogs kept in the Forest to be cut off.

Trespassers in Parks, Forests, &c. to pay treble Damages, and suffer three Years Imprisonment.

A Forester not to be questioned for killing a Trespasser who will not yield himself.

Presentment of Trespasses of Green Hue and Hunting in Forests to be made at the next Swainmote by Foresters, &c. No Officer of the Forest to surcharge the Forest on pain of Imprisonment by the Justice of the Forest.

None to be imprisoned for Vert or Venison, unless he be taken with the Manner, &c.

Persons having Wood within the Forest, may take House-boot, &c. by the View of the Foresters.

No Officer of a Forest to take or imprison any without due Indictment.

Justices of Forests, &c. may make Deputies.

This Act was made for ascertaining the Bounds of Forests.

## Forestallers, Ingrossers, &amp;c.

6 E. 6. c. 14.

A Forestaller by this Act is declared to be one who buys Victuals, Merchandize, &c. in the way before it be brought to a Fair or Market. A Re-grator is one that buys any Grain, Butter or Cheese, &c. in a Fair or Market, and sells the same again in the same Fair, &c. or within four Miles. And an Ingrosser is one that buys Corn growing, &c. by Contract, or Butter or Cheese

Cheese with intent to sell again. And the Offenders shall forfeit for the first Offence the Value of the Goods, and suffer two Months Imprisonment; for the second Offence double the Penalty, &c. Masters buying Barley, Badgers licensed, &c. are excepted out of this Act.

### Forfeited Estates.

**T**HIS Act appointed Trustees or Commissioners for Sale of forfeited Estates in *Ireland*. The Trustees 11 & 2 W. 3. to appoint Registers, Clerks, Surveyors, &c. and c. 3. to proceed summarily, determine by Examinations on Oath, &c. Persons refusing to appear, &c. to be committed. Persons making a Discovery of Debts due to the attainted, to be discharged of a third Part. Discovering Goods, &c. to be allowed a fourth Part. Sale of Estates to be by Auction. Any Person or Society may purchase, and the Conveyances being inroll'd, they shall be actually seised. Persons possessed of Lands, &c. vested in the Trustees, to render Accounts; and Occupiers committing Waste, to pay treble Damages. 1000 l. per Annum allowed Commissioners, &c. out of the first Moneys arising by the Act.

An Act for vesting forfeited Estates in *Great Britain* and *Ireland* in Trustees, to be sold for the Use of the Publick. Commissioners to summon Claimants, &c. are a Court of Record. Five Judges to be a Court of Delegates. Purchasers of Estates to be Protestants. His Majesty may make Provision for Wives of forfeiting Persons, &c.

This Act was made on the late Rebellion.

### Forgery.

**P**ersons falsely forging any Deed or Writing, to the Intent the Inheritance of Land may be defeated or charged, or the Title troubled, &c. or giving such in Evidence knowingly, to pay double Costs and Damages, to be set on the Pillory, lose both their Ears, and have their Nostrils slit; forfeit the Issues of Lands, and be

## A Second General TABLE

imprisoned for Life. Forging of a Lease for Years, & Obligation, Bill, Release, &c. to pay double Costs, stand in the Pillory, and suffer Imprisonment for a Year. The second Offence Felony.

5 Anna, c. 13. Forging Exchequer Bills, &c. made Felony.

## Franchises.

Mag. Chart.

37. 9 H. 3.

Stat. de Quo  
Warranto.

30 E. 1.

**T**HE City of London, and all other Cities, Towns, &c. to have their ancient Liberties, Franchises, &c. This Statute orders a Writ to issue out to the Sheriff, to permit all Men to enjoy their ancient Liberties; and on a Proclamation made, to shew their Tenures to Justices of Assize, or forfeit their Franchise.

27 H. 8. c. 24.

All Writs, Indisements, Processess, &c. in Franchises to be made in the King's Name; Stewards, Bailiffs, and other Ministers of Liberties to attend the Justices of Assize, &c. and make due Execution of Processess, &c. and they may execute their Offices above a Year.

32 H. 8. c. 20.

By this Statute the Franchises of religious Houses were granted to the King, and in the Survey of the Court of Augmentations; and the Stewards, Bailiffs, &c. to account there.

3 Car. 1. c. 1.

13 Car. 2.

c. 1.

No Freeman to be detained in a Franchise without Cause shewn.

Persons bearing Office in Corporations to take the Oaths of Allegiance and Supremacy, and subscribe a Declaration that it is not lawful to take up Arms against the King, &c. And that there lies no Obligation from the Oath called the solemn League and Covenant, &c.

Frands.



## Frauds and fraudulent Conveyances.

**F**raudulent Assurances of Lands or Goods to deceive Creditors to be void; and the Creditors to have Execution, &c. 30 E. 3. c. 6.

Every Gift or Feoffment of Lands made by Fraud, to be void; and the Disseisee to recover. 1 R. 2. c. 9.

All fraudulent Conveyances of Lands, &c. and Bonds, &c. made to set aside Debts, to be void against the Party endeavouring to avoid them, &c. And Parties and Privies to forfeit one Year's Value of Lands, and the whole Value of Goods; and so much Money as shall be mentioned in such Bond, &c. 13 El. c. 5.

Conveyances, &c. made to defraud a Purchaser, against such Purchaser only to be void; and Parties justifying the Conveyance to be made *bona fide*, to forfeit one Year's Value of the Lands, and be imprisoned half a Year. Where Lands are conveyed with Clause of Revocation, &c. and afterwards sold for a valuable Consideration, the first Conveyance to be void against the Vendee. But Mortgages made *bona fide*, not impeach'd. Statutes Merchant to be entered in six Months, and but 2 d. a Term for Search. 27 Eliz. c. 4.

Leases and uncertain Interests in Lands, &c. not put in Writing and signed, have no greater Effect than Estates at Will, &c. Contracts and Agreements not to be performed in a Year, &c. to be put in Writing; Devises of Lands, &c. to be in Writing signed in the Presence of three Witnesses. Creation of Trusts, &c. to be in Writing. Contracts for the Sale of Goods of 10 l. Value, to be made in Writing, or Earnest given, &c. or they are not good. 29 Car. 2. c. 3.

Devises of Lands, Rents, &c. deemed fraudulent against Creditors only, upon Specialties. See Creditors. 3 & 4 W. & M. c. 14.

Persons borrowing Money, and entering a Judgment or Statute for Security, who afterwards borrow more Money, and mortgage Lands to the second Lenders; or who having once mortgaged Lands, mortgage it a second Time without discovering the first Mortgage, or in the first Case without giving Notice of the Judgment, the Mortgagor to 4 & 5 W. & M. c. 16.

to lose his Equity of Redemption ; and the second Mort-  
gagee, &c. may redeem.

10 *Anna.*

Persons making fraudulent Conveyances to multiply  
Votes at Elections of Knights of the Shire, to be taken  
against the Persons making them free and absolute, &c.

See more Title Parliament.

Game.

11 *H. 7. c. 17.* **N**ONE to take Pheasants or Partridges with Engines  
in another Man's Ground, without License, on  
pain of 10 *l.* Killing or taking away Hawks, the same  
Forfeiture.

15 *H. 8. c. 10.* By this Act tracing Hares in the Snow incurs a Penalty  
of 6 *s.* 8 *d.*

23 *Eliz. c. 10.* None to take or kill Pheasants or Partridges with any  
Net in the Night, under the Penalty of 20 *s.* for every  
Pheasant, and 10 *s.* a Partridge. Hunting with Spaniels  
in standing Corn to forfeit 40 *s.*

1 *Jac. I.*  
c. 17. Persons killing any Pheasant, Partridge, Pidgeon,  
Duck, Heron, Hare, or other Game, to forfeit 20 *s.* for  
every Fowl, Hare, &c. And selling or buying to sell  
again, Deer, Hare, Pheasant, &c. to forfeit 40 *s.* a Deer,  
and 10 *s.* a Hare, &c.

7 *Jac. I.*  
c. 11. Persons destroying Pheasant or Partridge between the  
first of July and the last of August, to be imprisoned a  
Month, unless they pay 20 *s.* for every Pheasant, &c.  
taken. Constables with a Justice's Warrant to search for  
Dogs, Nets, &c.

22 & 23  
*Car. 2. c. 25.* Lords of Manors may authorize Game-keepers to seize  
Guns, Dogs, &c. of unqualified Persons. Persons qua-  
lified to keep Guns, &c. are such as have a free Warren,  
Lords of Manors, or who have 100 *l.* per Annum of Inhe-  
ritance, or for Life, or Lease for Ninety-nine Years of  
150 *l.* per Annum.

4 & 5 *W.*  
& *M. c. 23.* Constables, &c. by a Justice of Peace's Warrant to  
search Houses and suspected Persons for Game, and if  
any be found, and the Party do not give a good Account  
how he came by the same, he shall forfeit for every Hare,  
Pheasant, Partridge, &c. not under 5 *s.* nor above 20 *s.*

Inferior

Inferior Tradesmen hunting, &c. liable to Penalties of the Act, and may be sued for Trespass. Soldiers killing Game without Leave, to forfeit 5 *l.* an Officer, and 10 *s.* a Soldier.

Higlers, Chapmen, Carriers, Innkeepers, Vagabondage, &c. having in their Custody Hare, Pheasant, Partridge, Heath Game, &c. to forfeit for every Hare, &c. 5 *l.* unless sent by some Person qualified. Selling and offering to Sale the same Penalties. Persons not qualified keeping Dogs, &c. to forfeit 5 *l.* or be sent to the House of Correction for three Moths. 5 *Ann.* c. 14.

This Statute makes 5 *Ann.* perpetual. And no Lord of a Manor to appoint more than one Game-keeper in one Manor, who is to be entered with the Clerk of the Peace. Game-keepers not entered, or not qualified killing Game, liable to the Penalties 5 *Ann.* Hare, &c. found in a Shop, &c. adjudged an expoling to Sale. Killing Hare, &c. in the Night, the same Penalties. Driving wild Fowl with Nets, &c. between the first of July and first of September, to forfeit 5 *s.* for every Fowl. 9 *Ann.* c. 25.

Game-keepers are to be either Persons qualified, or to be Servants to Lords of Manors, and not Tenants, &c. under the Penalties 5 *Ann.* 3 *Geo.* c. 12.

### Gaming.

Justices of Peace, and Head Officers in Corporations to enter Houses suspected of unlawful Games, and arrest and imprison the Gamesters till they give Security. Persons keeping unlawful Gaming-houses forfeit 40 *s.* Gamesters 6 *s.* 8 *d.* 33 *H.8.* c. 9.

Persons winning Money at Gaming by Fraud, to forfeit treble Value; and Persons betting (other than for ready Money) and losing any Sum exceeding 100 *l.* not compellable to make good the same, and the Person winning to forfeit treble Value. 16 *Car.* 2. c. 7.

Securities for Moneys won at Play to be void; and if any Person shall lose by Gaming at one Time 10 *l.* he may recover the same from the Winner by Action of Debt. If the Loser do not prosecute, others may, and recover treble Value with Costs. Persons winning at 9 *Ann.* c. 14.



at any one Time 10 l. by Fraud, to forfeit five times the Value. Persons having no visible Estates, not making it appear that the principal Part of their Maintenance is got by other Means than Gaming, to be bound to the Good Behaviour.

Gaols, see Prisons.

### Gold and Silver, Goldsmiths, &c.

28 E. 1. c. 20. **G**OLD and Silver Manufactures to be made of a good and true Allay, Silver of the Sterling Allay; to be assayed by the Warden of the Company, and mark'd, and Gold to be of a certain Touch.

27 E. 3. c. 14. Merchants Denizens and Strangers may import Plate of Silver and Gold, &c. to the King's Exchange, taking Gold and Silver equal to the Value.

37 E. 3. c. 7. Goldsmiths to have their own Marks on Plate; but the Marks not to be set till the Surveyors have made their Essay; false Metal to be forfeited to the King.

8 H. 5. c. 3. Sheaths, or any Metals but Silver, not to be gilded, and Church Ornaments may be gilded, &c.

2 H. 6. c. 14. Work of Silver to be as fine as Sterling, except what Solder is necessary. Marking Work not as fine as Sterling, to forfeit double Value.

4 H. 7. c. 2. Finers of Gold and Silver not to allay it, or sell it save only to the Officers of the Mint, Goldsmiths, &c. nor sell any Silver in Mass molten and allayed, on pain of Forfeiture. Twelve-Penny-weight of Allay to be in a Pound weight of Silver.

18 Eliz. c. 15. Goldsmiths not to take above 1 l. the Ounce of Gold, besides the Fashion, more than the Buyer may be allowed for it at the Queen's Exchange. Goldsmiths Ware sold or exchanged, to have eleven Ounces and two Penny-weight of Silver, &c. the Pound, on pain of Forfeiture. Wardens marking faulty Metal, the Company to forfeit the Value.

18 Car. 2. c. 5. Persons bringing Gold or Silver to the Mint, to receive the same Weight in Coin, or so much more or less as the same shall be finer or coarser than the Standard Silver and Crown Gold.

All Silver and Gold extracted by melting and refining Metals to be employed for the Increase of Moneys, and sent to the Mint, where the Value shall be paid.

Goldsmiths, &c. not to transport any molten Silver before it be mark'd at Goldsmiths-Hall, and a Certificate made on Oath; and Officers of the Customs may seize Silver ship'd otherwise. Bullion to be transported, not entered in the Name of the true Owner, to be forfeited.

Silver Wire drawn for making Gold and Silver Thread, to hold 11 Ounces and 16 Penny-weight of Silver to the Pound Troy, and Silver gilt to have four Penny-weight of fine Gold laid upon each Pound-weight, under the Penalty of 5 s. per Ounce. No gilt Wire to be coloured with Verdigrease. Six Ounces of Gold and Silver to cover four Ounces of Silk, &c.

By this Act the Cities of York, Exeter, Bristol, Chester and Norwich, are appointed for assaying and marking wrought Plate. Two Goldsmiths, Freemen of those Cities, to be annually chosen as Wardens. Manufactures of Silver to be of the Fineness of the Standard, and not put to Sale till mark'd with the two first Letters of the Worker's Name, &c. on pain of Forfeiture. An Assayer to be elected in each City. Plate touch'd or mark'd not good by the Assayer, and not so, he shall forfeit double Value. Counterfeiting Stamps of Assayers, &c. forfeit 500 l. Every Goldsmith, Plate-worker, &c. who enters his Name, Mark, &c. with the Wardens, not doing so, or altering his Mark, to forfeit treble the Value of the Plate.

The Town of Newcastle upon Tyne is appointed for assaying and making wrought Plate, with like Authority, &c. as the Cities of York, &c.

### Grants.

**A**N Exemplification of the Inrollment of Grants by Letters Patent to be of good Force in pleading for the Patentees, and Persons having Estates from them, &c. against the Queen, &c. as if the Patents were produced.

Cor.

4 & 5 W. Corporations, Lords of Manors, &c. having Grants  
& M. c. 12. from the Crown for Felons Goods, Deodands, &c. not  
compellable to inroll their whole Grants, but such Part  
of them as expresse the Felons Goods, &c. and no more.

10 Ann. Bodies Politick and Corporate having made Default in  
Inrollment of any Grants, &c. made by her Majesty on  
her Predecessors, may yet inroll them in a Time limited,  
and the Estates continue, &c. Copies of the Inrollment  
of Bargains and Sales examined and signed by the proper  
Officer, and proved; to be of the same Force with the  
Indenture of Bargain and Sale, &c.

See more of Grants under Leases.

### Greenland Company.

4 & 5 W. A Joint Stock of 40000 l. to be raised by Subscription  
& M. c. 17. by Sir William Scawen and several others, who are  
to be incorporated. The Company to use the Trade and  
Merchandize of catching Whales, &c. into and from  
Greenland, and the Greenland Sea. A Governor, Deputy-  
Governor, and sixteen Committees to be elected. A Court  
of the Subscribers to be called, when they are to choose  
one Person having subscribed 1000 l. to be Governor, &c.  
Governors, &c. to take an Oath to promote the Interest  
of the Company, &c. No Person subscribing less than  
500 l. to have a Vote. A General Court to be annually  
called to elect Governors, &c. Persons having subscribed  
500 l. may assemble at a General Court, and make By-  
Laws, &c. for Government, and of Persons employed in  
their Ships, &c. No private Sales to be made; Goods  
to be sold publickly by Inch of Candle once a Year at  
least, and no Lot to exceed 300 l. Moneys arising by  
Sale to be applied to the Advantage of the Stock; Divi-  
dends of Profits to be made in Money only.

Ann. 7. 16. By this Act any Persons who will adventure to Green-  
land for Whale-fishing, to have all Privileges granted to  
the Greenland Company.

Guardians,



## Guardians.

**BY** this Act Power is given to Parents to dispose of their Children as they think fit, until they come to the Age of twenty-one or under; which was formerly in the Court of Wards.

Account lies against the Executors and Administrators of Guardians, Receivers, &c.

Persons who as Guardians or Trustees, &c. holding over without the Consent of the Person next intitled, adjudged Trespassers; and are accountable for Profits, &c.

12 Car. 2.

c. 24.

4 & 5 Ann.

c. 16.

6 Anne, c. 18.

## Habeas Corpus.

**H**abeas Corpus or Certiorari for removing of a Prisoner to be signed by the Chief Justice, or one of the Justices of the Court out of which the Writ issues, under the Penalty of 5 l.

Persons detained in Prison for any Thing except Felony or Treason express'd in the Commitment, may by Habeas Corpus in Vacation-time be brought before the Lord Chancellor, or any Judge, and be discharged upon their entering into a Recognizance, with one or more Sureties for Appearance in B. R. the next Term, or at the next Assises for the Place where the Commitment was; unless the Party be secured for Offences not bailable, &c. Lord Chancellor, &c. denying a Habeas Corpus to forfeit 500 l. And the Officer refusing to obey it, 100 l. for the first Offence, and 200 l. for the second. The Prisoner to pay 1 s. per Mile for Charges of Removal. No Subject to be sent Prisoner out of the Realm.

The Habeas Corpus Act was suspended during the Time of the late Rebellion, &c. as it was likewise in the Reign of King William.

1 & 2 P. &

M. c. 13.

31 Car. 2.

c. 2.

2 Geo.

Haberdashers, see Apprentices.

Habens,

## Havens, Harbours and Navigable Rivers.

- 4 H. 7. c. 15. **T**HE Mayor of *London* to have the Conservation in Breaches and Ground overflown as far as the Water ebbs and flows in the River *Thames*.
- 27 H. 8. c. 18. Persons annoying the River *Thames*, making Shelves there, casting Dung, &c. therein, or taking away Stakes, Boards, Timber-work, &c. of the Banks, to forfeit 5*l*.
- 34 H. 8. c. 9. Casting or unloading Ballast, Rubbish, &c. out of any Ship or Vessel in any Haven, Road, &c. incurs a Penalty of 5*l*.
- 27 El. c. 20. An Act enabling the Mayor and Commonalty of *Plymouth* to dig a Trench through Grounds to the River *Mew*.
- 27 El. c. 1. This Act relates to the repairing, &c. of *Orford Haven* in *Suffolk*.
- 27 El. c. 22. An Act for making a new Channel from the City of *Chichester*, &c.
- 13 & 14 C. 2. An Act for repairing *Dover Harbour*.
- 16 & 17 Car. c. 12. This Act was made for making the River *Avon* navigable from *Christchurch* to *Salisbury*.
- 22 Car. 2. c. 2. An Act for repairing the Havens and Rivers of Great *Yarmouth*.
- 1 W. & M. c. 11. This Act was likewise for the repairing, maintaining, preserving and clearing the Havens and Rivers of Great *Yarmouth*.
- 7 & 8 W. 3. c. 14. By this Act the Rivers *Wye* and *Lugg* are declared free and common Rivers and Streams for the carrying of Passengers, Goods, &c. with Power to Trustees to make it navigable, &c.
- 8 & 9 W. 3. c. 29. This Act imposes a Duty on Coals, &c. for repairing of the River of *Birdlington* in *Yorkshire*.
- 9 & 10 W. 3. c. 12. By this Act likewise Duties are granted for inslating, repairing and preserving the Bridge and Key of *Bridge-water* in *Somersetshire*.

This Act was for making navigable and cleansing the Chanel from *Hithe* at Colchester to *Wirwenhoe*. 9 & 10 W. 3. c. 19.

This Act was for making the River *Tone* navigable from *Bridgewater* to the Town of *Taunton*. 10 & 11 W. 3. c. 8.

Trustees and Commissioners are appointed by this Act to make the River *Aire* navigable to *Leeds*, &c. in *Yorkshire*. 10 & 11 W. 3. c. 19.

This Act is for making the River *Trent* navigable from *Wilden Ferry* to *Burton upon Trent*. 10 & 11 W. 3. c. 20.

A Duty of so much per Ton on Shipping, &c. is granted by this Act for the Repair of *Dover Harbour*. 11 & 12 W. 3. c. 9.

By this Statute a Duty is granted on Goods imported and exported, Shipping coming in and going out, &c. to *Colonel Lusterel*, for enlarging, repairing and preserving the Key of *Minehead*. 12 W. 3. c. 9. 11 & 12

This Act was made for the better preserving the Navigation of the Rivers *Avon* and *Frome* in *Somersetshire*. 11 & 12 W. 3. c. 23.

By this Act Impositions are granted to recover and preserve the Navigation of the River *Dee*, from the Sea to *Chester*. 11 & 12 W. 3. c. 24.

For repairing the Port of *Whitby*, Duties are granted by this Act. 1 Ann. c. 19.

This Act is for making the River *Darwent* navigable. 1 Ann. c. 20.

Several Persons are authorized by this Statute to make the River *Cham* in *Cambridgeshire* navigable. 1 Anne, Stat. 2. c. 11.

By this Act the Mayor and Aldermen, &c. of *Sudbury* in *Suffolk* are empower'd to make the River *Stower* navigable. 4 & 5 Ann. c. 15.

An Act for enlarging the Pier and Harbour of *Parton* in the County of *Cumberland*. 4 & 5 Ann. c. 18.

The Mayor, Aldermen, &c. of *Liverpool* by this Act are empower'd to make a wet Dock or Basin in a piece of Ground near the Pool; and Duties granted to effect it. 8 Anne, c. 12.

*Wharfedale and Dagenham, see Coats.*

*patrollers*



## Hawkers and Pedlars.

8 & 9 W. 3. c. 25. **H**awkers, Pedlars, &c. going from Town to Town, if on Foot, to pay 4 *s.* and if with Horse, Ass or Mule, 8 *l.* Duty to the King. To be licensed, or forfeit 12 *l.* Refusing to shew Licenses, to forfeit 5 *l.* and travelling with forged Licenses, 50 *l.* Any Person may seize a Hawker till he produce a License.

3 & 4 Ann. c. 4. Hawkers to produce Licenses on Demand, or incur Penalties of travelling without License. And lending the License to Hire, the Trader to forfeit 40 *l.* and the Lender the License. Traders in the Linnen and Woolen Manufacture sending their Goods to Markers and Fairs, and selling them by Wholesale, not to be taken as Hawkers; nor Makers of Goods selling those of their own making. Coopers, Glaziers, Tinkers, &c. going about and carrying Materials to mend Vessels, &c. the same.

## Hay-Market.

2 W. & M. c. 8. **C**arts, &c. not to stand loaden with Hay, &c. after two a Clock in the Afternoon, from Michaelmas to Lady-Day, or after three in the Summer, on pain of 5 *s.*

8 & 9 W. 3. c. 17. Every Cart-load of Hay which shall stand to be sold in the Hay-Market, to pay 3 *d.* and every Cart-load of Straw 1 *d.* towards the paving and amending the Streets. Upon Refusal of Payment the Offenders Goods to be distrained by Warrant from a Justice of Peace.

## Highways.

**C**onstables and Churchwardens, &c. of every Parish, 2 & 3 P. & Inhabitants, yearly upon *Tuesday or Wednesday M. c. 8.* in *Easter Week*, to make choice of Surveyors of the Highways; who are to take upon them the Office under the Penalty of 20 s. four Days before Midsummer, to be appointed for repairing the Ways. Persons having Teams, or Plough-Lands, to send out Teams, under the Penalty of 10 s. per Day; and Cottagers to work on pain of 1 s. per Day. Stewards in Leets have Power to enquire after the Breach of this Act, and set Fines, &c.

Surveyors may turn a Water-course; dig for Graves in any Ground contiguous to the Highways, not being a Garden, Meadow, &c. filling up the Pit. Hedges and Ditches to be kept low and scowred; six Days appointed for the Statute Work; and Surveyors to present Defaults within one Month, on pain of 40 s. &c. 5 *Eliz. c. 13.*

Persons having a Plough-Land in several Parishes, 18 *El. c. 10.* chargeable with a Team only where they reside. Not scouring Ditches 12 d. per Rod. Scouring of Ditches cast in the Highway incurs a Penalty of 12 d. per Load, being left there six Months.

This Act was made for repairing of the Highways, 13 & 14 and paving the Streets in and about *London and Westminster*, but is expired. *Car. 2. c. 1.*

Surveyors of the Highways, &c. neglecting to put the Acts in Execution, to be fined 40 s. Persons resisting any employed, liable to the same Penalty. Surveyors to be chosen in *Christmas Week*, who are to appoint six Days for providing Materials, make Return of Defaulters in a Month, &c. 12 *Car. 2. c. 12.*

On the 26th of *December* yearly, Constables, Churchwardens, &c. and Inhabitants of every Parish to assemble and make a List of the Names of Persons having 10 l. per Annum, personal Estate of 100 l. or Renters of 30 l. per Annum, and for want of such, of the most sufficient Persons to be Surveyors of the Highways, and return the same to the Justices of Peace at a special Sessions in fifteen Days, who are to nominate the Surveyor; the Surveyor not taking

on him the Office to forfeit 5 *l.* Every four Months to view the Roads, and present on Oath. If Defaults not amended, Surveyor to repair, and be repaid. Laying in a Highway not twenty Foot broad any Thing to obstruct it, or permitting Shrubs, &c. to grow, incurs a Forfeiture of 5 *s.* On Oath made by Surveyors of Sums expended Justices may make a Rate not exceeding 6 *d.* in the Pound. Surveyors neglecting their Duty to forfeit 40 *s.* Justices of Peace 5 *l.*

8 & 9 W. 3. Justices of Peace at their Quarter Sessions may order the enlarging Highways, not exceeding eight Yards in Breadth, so as no House, Garden, &c. be pull'd down or taken away, and making Satisfaction to the Owner of the Ground; for which they may order Assessments, &c. Posts with Inscriptions to be erected at Cross-ways as a Direction to Travellers, under the Penalty of 10 *s.* Persons pulling up or removing Posts, &c. Securities for Horseways, &c. to forfeit 20 *s.*

1 Geo. c. 48. Persons neglecting to scour Ditches near the Highways to forfeit 2 *s.* 6 *d.* for every eight Yards not scour'd. And permitting Soil to lie in the Highways eight Days after Notice to forfeit not exceeding 5 *l.* nor under 20 *s.* Surveyors may make Drains in Lands adjoining to the Highways. Not giving an Account of the State of the Ways to forfeit 5 *l.* Justices are to hold a special Sessions for the Highways once in four Months, &c.

Carriages not to be drawn with above five Horses in Highways. See Carriers.

Highwaymen, see Robbery.

### Homage.

17 E. 2. BY this Statute when a Freeman doth Homage he shall hold his Hands between the Hands of his Lord, and say thus: "I become your Man from this Time forth for Life, for Member, and for worldly Honour, and owe you Faith for the Lands I hold of you, &c. And Fealty is an Oath of Fidelity, &c. to observe Customs and Services, &c."

Horns



Horns growing in London, &c. See 4 E. 4. But this Statute I think is repealed.

## Horses, &c.

**N**ONE shall take any Person's Horse or Beast for the Service of the King, without the Owner's Consent, on pain of Imprisonment. 20 R. 2. c. 3.

Horses not to be conveyed out of the Realm on pain of Forfeiture. 11 H. 7. c. 13.

By this Statute Persons having Inheritance or Freehold in a Park, &c. and a Mile about, to keep two Mares apt to bear Foal thirteen Hands high, under the Penalty of 40 s. a Month; and they are not to suffer them to be leap'd by stoned Horses under fourteen Hands. 27 H. 8. c. 6.

Stoned Horses put into Commons, &c. being above two Years old, to be fifteen Hands high; and those of lesser Stature may be seised by any Person for his own Use. Refusing to be present at the measuring incurs a Penalty of 40 s. Commons to be driven yearly at Michaelmas, or within fifteen Days after, on pain of 40 s. Putting infected Horses into Commons, to forfeit 10 s. 31 H. 8. c. 13.

But stoned Horses of thirteen Hands high may be put in the Commons and Ben-Grounds in Cambridgeshire, Huntingdonshire, Lincolnshire, &c. 8 Eliz. c. 8.

Horses may be transported, paying 5 s. at the Customs house. 22 Car. 2. c. 13.

Horses sold, stolen, &c. See Fairs and Markets.

## Hospitals.

**T**HE Ordinary to have Power to enquire of and reform the Government of Hospitals, of the King's Patronage, &c. 2 H. 5. c. 1.

- 39 *El. c. 5.* Any Person may by Deed inrolled in Chancery erect and found an Hospital, &c. to continue for ever, and place such Heads, &c. as he thinks fit; and such Hospital shall be incorporated, and visited by such as the Founder shall nominate. Leases for above twenty-one Years to have the accustomed yearly Rent reserved.
- 39 *E. c. 6.* By this Act Commissions might be awarded to certain Persons to enquire of Lands or Goods given to Hospitals or other charitable Uses, and misemployed, &c.
- 43 *E. c. 4.* And by this Statute the Lord Chancellor had Power to issue out a Commission into any Part of the Realm to the Bishop there and other Persons authorizing them to inquire by a Jury of all Grants, &c. and Abuses of Lands, &c. given to charitable Uses, &c. but this not to extend to Hospitals, &c. over which special Governors are appointed by the Founders, &c.
- 7 & 8 *W. 3. c. 21.*  
10 *Ann. c. 7.* By these Acts all Seamen are to pay 6 *d.* per Month towards the Support of Greenwich Hospital; and registered Seamen, Watermen, &c. who by Age, Wounds, &c. are disabled for Service, to be admitted into the said Hospital, provided for: Likewise Widows of such Seamen, &c. slain or drowned; and their Children educated, &c.

### Houses of Correction.

- 39 *E. c. 4.* Justices of Peace in Sessions have Power to order Houses of Correction to be built; to make Orders for governing them, and to see that Offenders sent thither be set to work, or punished; they are to be built at the Charge of the County.
- 1 *Jac. 1. c. 7.* And by this Statute there is to be a House of Correction in every County, or the Justices shall forfeit 5 *l.* each. Masters of these Houses to set on work and correct Persons by Whipping; to have such Allowance as the Justices shall think fit; and to give Account of Persons committed quarterly. Justices have likewise Power to order the building and repairing of Gaols, and to make Assessments for the same, &c. 11 & 12 *W. 3.*

Due and Cry, see Robbery.  
Hunting, see Game.

Jeofail.

**Jeofail.**

**J**udgment to be given after Issue tried, notwithstanding 32 H. 8. c. 30.  
any Jeofail or mispleading.

After Verdict given in any Court of Record, there 18 El. c. 14.  
shall be no stay of Judgment, or Reversal for want of  
Form in a Writ, Count, Plaint, &c. or by reason of  
insufficient Returns of Sheriffs, &c. but this not to ex-  
tend to any Writ or Appeal of Felony, &c.

After Verdict in any Court of Record, Judgment not 21 Jac. 1.  
to be stayed for Variance in Form between the origi- c. 13.  
nal Writ and the Declaration, &c. or for want of Aver-  
ment of the Parties being living, so it be proved; or for  
Misnomer of Jurors; want of Return of Writs, &c.  
Suits of Appeal, &c. of Felony and Murder, &c. are  
likewise excepted by this Act.

By this Statute Judgment not to be stayed or reversed 16 & 17  
after a Verdict in the Courts of Record at Westminster, &c. Car. 2. c. 8.  
for want of Form or Pledges; for not producing a Deed,  
or Letters of Administration; for want of *vi & armis*, or  
*contra pacem*; mistaking the Christian Name or Surname  
of either Party, Sum of Money, Day, Month or Year,  
&c. being rightly named in any Record, &c. preceding.  
Made perpetual by 22 & 23 Car. 2. c. 4.

This Statute enacts, That all the Statutes of Jeofails 4 & 5 Anne,  
shall extend to Judgments entred by Confession, *Nil dicit*, c. 16.  
or *Non sum informatus* entred in any Court of Record; and  
no Judgment to be reversed, where it would be aided by  
those Statutes.

**Indictment.**

**S**heriffs, &c. that take Inquests of Malefactors, to do Westm. 2.  
it by twelve lawful Men, who are to put their Seals c. 13. 13 E. 1.  
to the Inquisition, &c.



- 1 E. 3. c. 17. Sheriffs, &c. who take Indictments to do it by Roll indented, one Part whereof to remain with the Indictors.
- 25 E. 3. c. 14. After a Person is indicted for Felony before Justices of Oyer and Terminer, the Sheriff shall be commanded to attach his Body by a *Capias*; and on Return of a *Non est inventus*, a second *Capias*, &c. shall be granted, and the Sheriff to seise his Chartels, &c.
- 11 H. 4. c. 9. No Indictment to be made but by an Inquest of lawful Men returned by Sheriffs, &c.
- 1 E. 4. c. 2. Indictments or Presentments taken before Sheriffs, &c. to be delivered to the Justices of Peace at their Sessions, &c.
- 3 H. 7. c. 1. Justices of Peace may take Inquests at Discretion, the Inquirers having 40 s. *per Annum* each, to enquire of Concealments of former Inquests, &c. An Appeal to be preferred to an Indictment, if the Appellant be ready.
- 37 H. 8. c. 8. Indictments good without the Words *vi & armis, cum baculis, cultellis*, &c.
- 7 W. 3. c. 3. Persons accused and indicted for High Treason to have a Copy of the Indictment five Days before Trial; and Indictments for Treason to be found in three Years after the Offence committed, unless it be against the King's Person. See Treason.
- 10 & 11 W. 3. c. 23. For drawing a Bill of Indictment the Clerk of the Peace to take but 2 s.

Informations, see Actions.

Inrollment, see Bargain and Sale, Grants, &c.

### Interest of Money.

- 37 H. 8. c. 9. **T**HIS Statute allows 10 *per Cent.* Interest for Money lent on Mortgages, &c.
- 21 Jac. 1. c. 17. By this Act no more than 8 *per Cent.* is allowed as Interest, on pain of forfeiting treble Value.
- 12 Car. 2. c. 13. This Statute sinks the Interest of Money to 6 *per Cent.* and all Securities, &c. for more to be void.
- 12 Ann. c. 16. By this Act no Person is to take for Loan of Moneys, &c. above 5 l. for the Forbearance of 100 l. for a Year. Bonds, Contracts, &c. made for Moneys let at a greater Interest to be void, and the Offender to forfeit treble Value.

Value. Scriveners not to take above 1 s. besides the Stamp-Duties for making or renewing a Bond or Bill, and Brokers, Solicitors, Drivers of Bargains, &c. not to take more than 5 s. for 100 l. for a Year for Brokage, or procuring the Loan, &c. under the Penalty of 20 l.

Jointure, see Dower.

### Ireland.

**T**HE King's Officers in *Ireland* not to purchase Lands there without License from the King. All kinds of Merchandizes may be exported thence, except to the King's Enemies. No Pardon for the Death of a Person, or for Felony, to be granted by the Justices but at the King's Command, and under his Seals. 17 E. 1. c. 1.

All kinds of Merchandizes may be exported and imported from and to *Ireland* by Aliens as well as Denizens. 34 E. 3. c. 18.

*Irishmen* coming to live in *England* to give Security for their good Behaviour. 2 H. 6. c. 8.

This Act was made for the speedy and effectual reducing of the Rebels in *Ireland*. 16 & 17 Car. 1. c. 33.

Constables, &c. to seize Cattle, Butter, Cheese, &c. imported from *Ireland*, and cause the Cattle to be killed, and distributed amongst the Poor; the Hides and Tallow to the Seizors. Constables seizing, not giving Notice to Churchwardens, and they not distributing, to forfeit 40 s. 32 Car. 2. c. 2.

The pretended Parliament assembled at *Dublin* declared an unlawful and rebellious Assembly, and all Acts done by them adjudged void. All Cities, Boroughs, &c. restored; and all Proceedings against them, &c. void. All Protestants restored to their Possessions, &c. 1 W. & M. Sess. 2. c. 9.

By this Act Bishops, Peers, Ecclesiastical Persons, Heads and Fellows of the University, Barristers at Law, Attorneys, Doctors of Physick, &c. And all Officers in the Government, &c. in *Ireland* in the Court of Chancery, King's Bench or Quarter Sessions, to take the Oaths, and subscribe the Declaration appointed by this Act. Peers and Members of Parliament, Barristers at Law, Attorneys, Clerks or Officers in the Chancery or other Courts, offending

offending contrary to this Act, disabled, &c. and forfeit 500 l. Any Person above the Age of 18, not taking the Oath of Fidelity, being required by two Justices of Peace, to be imprisoned for three Months, &c.

10 & 11 W.  
3 c. 10. None shall export out of Ireland into Foreign Parts, other than to England, any Wool, Wool-fells, Wool-flocks, Worsted, Serge, Frizes, Druggetts, Shalloons, or any Drapery Stuffs, or Woollen Manufactures, on pain of forfeiting the Wool, &c. and 500 l. and the Ship wherein any of the Commodities shall be laid on Board, to be also forfeited.

1 Ann, c. 32. Persons educated in or professing the Popish Religion in Ireland of eighteen Years of Age, not taking the Oaths, and subscribing the Declaration, disabled to take by Descent, Devise or Limitation, &c. any Hereditament, Rent or Profit, &c. and the next of Kin being a Protestant to enjoy, &c.

See Forfeited Estates.

### Judgment.

14 E. 3. c. 5. BY this Statute a Prelate, two Earls, and two Barons, have Power to hear Complaints for Delay of entering Judgments, and to call before them the Justices and Records, &c. with the Chancellor, &c. by Power of the King's Commission. Judges in Court may be increased or diminished.

4 H. 4. c. 23.  
27 El. c. 5. Judgments shall continue till they are attaind of Error. After Demurrer joined, the Judges to proceed and give Judgment, without Regard to Defects, &c. unless shewn, &c.

29 Car. 2.  
c. 3. Judges that sign Judgments of Lands, to set down the Day of the Month or Year of their so doing upon the Paper or Record, and to be Judgments against bona fide Purchasers only from that signing.

4 & 5 W.  
& M. c. 20. The Clerk of the Eshoins of the Court of Common Pleas, Clerks of the Dockets in B. R. &c. before the End of every Easter Term to enter a particular of all Judgments of Debt by Confession, *Non sum informatus*, &c. of the Hillary Term preceding, and within ten Days deliver Notes in Writing to the Clerks, &c. the like before the End



End of *Michaelmas* Term, of the Terms of *Easter* and *Trinity*, and before the End of *Hilary* Term, of *Michael* Term, under the Penalty of 100 l. No Judgment to affect Purchasers of Lands or Mortgagees till docketted. Search for Judgments 4 d. a Term.

Upon signing Judgment 6 s. 8 d. to be paid the proper Officer in Satisfaction of the *Capias* Fine.

Where upon Demurrer in any Action Judgment shall be given against the Plaintiff or Defendant; or if after Judgment for the Defendant the Plaintiff sues a Writ of Error, and the Judgment shall be affirmed, &c. the Defendant to have Judgment for Costs, &c.

See Error, Juries, &c.

### Judicial Proceedings.

Justices assigned to try Felonies shall direct their Writs to all the Counties of *England* to take Persons, &c.

Upon Indictment of any Person in *B. R.* for Treason, Felony, or Trespass, a *Capias* shall be awarded against him.

This Statute directs another *Capias* on Indictments where the Party lives in another County; and in this second *Capias* the Sheriff to be commanded to take him, and if he cannot find him, to make Proclamation at two Counties, and if he come not, an Exigent to be awarded.

In Actions upon the Case like Process to be had as in Actions of Trespass or Debt.

The same in every Writ of Annuity and Covenant, as in Debt.

When any Person shall sue forth of *B. R.* any *Exigent*, *Alias* and *Pluries Capias* against any Person, who thereupon appears, and puts in Bail, if the Plaintiff do not declare within three Days, or after Declaration, discontinues, &c. the Judges to award Damages; where Courts not kept *de die in diem*, the Plaintiff to declare at the next Court after Appearance. Maliciously causing Persons to be arrested, the Offenders to be imprisoned six Months, and forfeit 10 l. besides treble Damages.

No

- 12 Car. 2. c. 3. No judicial Proceedings commenced or prosecuted in the Style of *Oliver Lord Protector, &c.* abateable by his Majesty's reassuming the Government. And a pretended Act for turning the Books of the Law, and Proceedings in Courts of Justice, into *English*, declared to be in Force.
- 13 Car. 2. c. 2. There need not be fifteen Days between the *Teste* and Return of any *Venire facias*, *Hab. Corpus*, *Jur. Distringas*, *Fi. Ra.* or *Ca. Sa.* (other than *Ca. Sa.* on an Exigent) in personal Actions, and *ejectione firmæ*.
- 1 W. & M. Sess. 1. c. 4. This Statute was made for adjourning *Hillary Term*, and to confirm Returns of Writs, Processes, &c. Writs, &c. executed before returnable, and Bills, Plaints, Judgments, &c. in inferior Courts to stand good, &c.
- 4 & 5 W. & M. c. 18. Upon the Demise of any King or Queen of *England*, all Pleas to Informations shall stand, without calling the Defendant to plead anew. See more of this Statute, Appearance.
- 9 & 10 W. 3. c. 16. The High Court of Chancery, Exchequer, or Court of Great Sessions in *Wales*, where the Cause originally arises, may issue out Executions or other Processes upon Judgments, &c.
- 1 Annæ, c. 8. No original Writ or Process, Plea, &c. to be discontinued by the Demise of the late King.

See more of Judicial Proceedings, Damages.

### Jurors.

- 13 E. 1. c. 38. NO more Jurors to be summoned in one Assise than twenty-four. And Jurors to have 20 s. per Annum; if the Assises taken out of the County 40 s. per Annum; And old Men above seventy, and diseased Persons not to be put on Juries. Inquests to be taken by a Jury of twelve lawful Men.
- 21 E. 1. This Statute enacts, That Jurors shall have 40 s. per Annum Lands, and 5 l. a Year, to be impannell'd out of their proper Counties. But this not to extend to Juries in Corporations.
- 18 E. 1. c. 9. Jurors impannell'd to be next Neighbours, most sufficient, and least suspicious, or the Officer shall forfeit double Damages,

Jurors

Jurors accused by either Party for Bribery, to be tried presently by a Jury then taken 34 E. 3. c. 8.

If a Juror take any Thing of either Party to give his Verdict, he shall pay ten times so much as taken, or suffer a Year's Imprisonment, 38 E. 3. c. 12.

The Sheriff to array the Pannel in Assises four Days at least before the Sessions of the Justices, that the Parties may have Copies, on pain of 20 l. 42 E. 3. c. 11.

None to be on any Inquest upon Trial of the Death of a Man, or in any Plea real or personal, where the Debt, &c. amounts to forty Marks, who has not Lands of 40 s. per Annum above Reprizes. 2 H. 5. c. 3.

Jurors at the Sheriffs Turn to have 20 s. per Annum, 1 R. 3. c. 4. Freehold, or 26 s. 8 d. per Annum Copyhold; Officers returning others to forfeit 40 s.

Pannels returned to enquire for the King, may be reformed by the Justices of Gaol-Delivery, &c. And Sheriffs to return the Pannels so reformed, under the Penalty of 20 l. 3 H. 8. c. 12.

The Sheriff of London may return Pannels of Jurors in Suits depending triable in London, of such as are worth an hundred Marks in Goods. 4 H. 8. c. 3.

Trials of Felons in Corporations may be by Freemen worth 40 l. in Goods. 23 H. 8. c. 13.

This Statute regulates the Forms of Writs of Venire, &c. and ascertains Issues to be levied on Jurors for Non-appearance; and although the Jury be made full by the Tales, yet the Jurors making Default shall lose Issues, But upon a reasonable Excuse proved by two Witnesses, Justices may discharge Issues for Default. 35 H. 8. c. 6.

By this Statute a Tales de Circumstantibus may be granted in a Suit commenced upon a penal Statute. 4 & 5 P. & M. c. 7.

In case the Plaintiff forbear to pray a Tales, it shall be granted at the Request of the Defendant. 14 Eliz. c. 9.

No Jury to appear at Westminster for a Trial, when the Offence was committed thirty Miles off, except the Attorney General require it. 18 El. c. 5.

This Statute increases the Qualification of Jurors, from 40 s. to 4 l. per Annum. Sheriffs, &c. returning others to forfeit 20 s. Taking a Bribe to spare a Juror, 50 l. And by 4 & 5 W. & M. c. 24. Jurors to have 10 l. per Annum Freehold or Copyhold, and Tales Men 5 l. per Annum. 27 El. c. 6.

By



7 & 8 W. 3. c. 32. By this Statute, if a Plaintiff or Demandant shall not proceed to Trial at the first Assises after the *Telle* of a *Habias Corpus*, a new Writ of *Venire* to be directed to the Sheriff to try the Issue at another Assises; and the Defendant may bring the Cause to Trial by Proviso. Sheriffs to return, Freeholders or Copyholders on the *Tales*. Constables, &c. at *Michaelmas* Quarter-Sessions to return to the Justices of Peace Lists of Persons qualified to serve on Juries; and Sheriffs to impangell no others, &c. under the Penalty of 20 l. The Grand Inquest of the County of *York* to consist of forty eight Freeholders and Copyholders of 80 l. per Annum

3 Anna, c. 18. Persons having served on Juries not compellable to serve again in four Years in the County of *York*, and Sheriff not discharging a Summons on such to forfeit 20 l. Constables not returning Lists of Jurors to forfeit 10 l. *Venire* out of Courts at *Westminster* to be awarded of the Body of the County, except in Cases of Felony, Murder, &c.

### Justices of Assise.

18 E. 3. c. 2. Justices are to take an Oath to serve the King, warn him (b) Damage, do Justice to all without respect of Persons, take no Bribes, give no Counsel where he is a Party, maintain no Suit, nor deny Right, tho' commanded by the King, to procure the King's Profit, and be answerable in Body, Lands and Goods:

*Incerti Temporis.* Assises, Juries, Inquests, &c. of *Middlesex* to be taken before the Justices of the Bench. To be eight Justices of Assise appointed, viz. two in the Counties of *Kent, Essex, Suffolk, Norfolk, Cambridge, Huntingdon, Bedford and Buckingham*; two in the Counties of *Lincoln, Leicester, Warwick, Stafford, Salop, Northampton, Rutland, Gloucester, Hereford and Wigorn*; two in the Counties of *Cornwall, Devon, Somerset, Dorset, Wilts, Southampton, Oxon, Berks, Suffex and Surrey*; and two in the Counties of *York, Northumberland, Westmorland, Cumberland, Lancashire, Nottingham and Derby.*

6 R. 2. c. 5. Justices of Assise and Gaol-Delivery to hold their Sessions in the chief Towns of every County.

No Lord, or other Person shall sit upon the Bench 20 R. 2. c. 3.  
with the Justices of Assise.

No Justice, or other learned in the Law, to be Justice 33 H. 8. c. 24.  
of Assise in the County where born, or where he doth  
inhabit, under the Penalty of 100 l. The Clerk of the  
Assise not to be of Counsel to any within the Circuit, on  
pain of 10 l.

Justices of Assise, Gaol-Delivery, and of the Peace, have 5 Eliz. c. 9.  
Power to hear and determine, Perjury, Subornation, &c.

Justices of Assise have Power to enquire of the Misde- 31 Car. 2.  
meanors of Sheriffs, Bailiffs, Jurors, &c. by 20 E. 3. c. 3.  
And by this Statute Sheriffs were to set up Transcripts  
of Fines received from the Chirographers at the Summer  
Assises, The Attendants of Sheriffs, &c. at Assises.

See Sheriffs.

## Justices of Gaol-Delivery, &c.

Justices of Assise presently after the Assise is over, to de- 27 E. 1.  
liver the Gaols.

Discreet Persons to be assigned in all Shires of England 4 E. 3. c. 3.  
to take Assises, &c. and deliver Gaols. And also other  
discreet Persons in each County to keep the Peace; and  
Justices of Gaol-Delivery to deliver the Gaols of those  
who stand indicted before the Justices of Peace.

Justices of Oyer and Terminer, *ad audiendum & deter-*  
*minandum*, Not to be granted but before one of the Ju-  
stices of either Bench, and that for heinous Trespasses,  
&c.

Records of Justices of Assise, Gaol-Delivery, and 9 E. 3. c. 3.  
Oyer and Terminer, to be sent into the Exchequer.

Justices

## Justices of Peace.

1 E. 3. c. 16. THE first Appointment of Justices of Peace was by this Statute.

34 E. 3. c. 1. By this Statute their Number was to be six in every County, of which two should be of the best Quality, two Knights, and two Men of the Law; and by Commission they were to determine Matters relating to the Peace.

36 E. 3. c. 12. Justices of Peace to keep their Sessions four Times in the Year, viz. one within the Octabis of Epiphany, the second within the second Week of Lent, the third between the Feasts of Pentecost and St. John Baptist, and the fourth within eight Days of St. Michael.

11 R. 2. c. 10. Justices of Peace to be allowed 4 s. a Day, and the Clerk of the Peace 2 s. so long as the Sessions continues, paid by the Sheriffs. No Steward of any Lord to be in Commission of the Peace.

14 R. 2. c. 11. By this Statute eight Justices of Peace were to be assigned in every County.

2 H. 5. c. 4. Justices of the Peace to be resident in the County, and to keep their Sessions four Times in a Year, viz. the first Week after Michaelmas, Epiphany, Easter, and St. Thomas the Martyr, call'd Becket, being the 7th of July.

2 H. 5. Stat. 2. And to be of the most sufficient Persons in the County.

14 H. 6. c. 4. Justices of Peace of Middlesex not compellable to hold Sessions above twice in the Year.

18 H. 6. c. 11. Justices of Peace to have 20 l. per Annum in Lands, and acting without such Qualification, except Lawyers, forfeit 20 l.

3 H. 7. c. 1. At the next General Quarter Sessions Justices of Peace are to certify Recognizances. And the particular Power of Justices of Peace given them by Statutes, from their first Institution to this Time, relates to Affrays, Alehouses, Apprentices, Arrest, Assaults, Badgers, Bail, Barretry, Barrardy, Behaviour, Brewers, Bridges, Burglary, Burials, burning of Houses, Butchers, Buttons, Carriers, Certiorari, Church and Churchwardens, Clipping and Coining, Cloth and Clothiers, Coaches, Constables, Cottages, Customs, Deer and Deer-stealing, Detainer of Goods, Drunkenness, Escape, Evidence and Examination, Felony,

H 8.

E. 6.

Q. Eliz.

Jac. 1.

Car. 1.

Car. 2.

Jac. 2.

W. 3.

Q. Ann.

K. Geo.



Felony, Fish, Forcible Entry, Foresters, Game and Gaming, Gaol and Gaolers, Hawkers and Pedlars, Hedge-breakers, Highways, Hops, Horses and Horse-stealing, House of Correction, Hue and Cry, Informers, Juries, Oaths, Perjury, Poor, Rape, Recognizances, Recusants, Riot, Robbery, Salt, Servants, Sessions, Settlements, Soldiers, Squibs, Swearing, Taxes, Tithes, Treason, Vagrants, Warrants, Watch, Weights and Measures, Windows, Wool, Wrecks, &c. which see at large in my *Modern Justice*.

Justice of Peace's Power determines by the Death of the King, Discharge under the Great Seal, granting a new Commission, Accession of another Office, as being made Sheriff, &c.

### King and Queen.

**A**LL Regal Power, Dignities, &c. to be as well in 1 M. P. 2. 1.  
a Queen as a King.

Persons affirming the King to be a Papist, or an Here- 13 Car. 2.  
tick, or endeavouring to introduce Popery, &c. disabled c 1.  
to enjoy any Office Civil or Military, &c.

By this Statute the Lords and Commons declare and 2 W. & M.  
enact the recognizing of King William and Queen Mary, *Seff. 1. c. 1.*  
lawful and rightful King and Queen of England, &c.

The Queen by Letters may grant Prince George of 1 & 2 Ann.  
Denmark an Annuity of 100,000 l. per Annum out of the c. 2.  
Duties of Excise and Post-Office, and may grant to his  
Use Kensington Palace, &c.

This Statute enables her Majesty to grant the Honour 3 Ann. c. 6.  
and Manor of Woodstock to the Duke of Marlborough.

This was one of the Acts for settling the Succession 4 Anne, c. 8.  
to the Crown after her Majesty, and the Person to succeed  
is by this Act empower'd by three Instruments to appoint  
so many natural-born Subjects of England, as he or she  
shall think fit to be added to the seven great Officers of  
State, as Lord Justices, who, or the major Part, not be-  
ing fewer than five, to execute Powers, &c. The three  
Instruments to be transmitted into England, and deposited  
in the Hands of the Successor's Resident, the Archbishop  
and Lord Chancellor; and after the Demise of her Ma-  
jesty

jeſty without Iſſue, to be brought to the Privy Council, and opened, read and inroll'd in Chancery. The Lords Juſtices not to diſſolve the Parliament without Direction from the Succeſſor, &c.

6 *Anna*, c. 7. The Parliament not diſſolved by the Death of her Ma- jeſty, or her Succeſſor; nor the Privy Council, Officers Civil and Military, &c. diſcharged, but to act and con- tinue in their Offices for ſix Months, unleſs prorogued or diſcarded by the Succeſſor.

See more, *Crown*.

### King's Houſhold.

11 & 12  
W. 3. c. 2.

IN this Act which grants a Tax on Lands, &c. there is a Clause that the Overplus of the neat Produce of the Branches ſettled for the Civil Liſt, &c. above 700,000*l*. for the Year, ſhould be otherwiſe applied as the Act directed.

13 & 14  
W. 3.

1 *Anna*, c. 7.

The Hereditary Excise, Revenue of the Poſt-Office, Firſt-Fruits, Fines of Alienation-Office, &c. further Subſidies of Tonnage and Poundage declared to be charge- able with the yearly Sum of 700,000*l*. for the Support of the Houſhold.

### Labourers.

4 E. 4. c. 1.

Juſtices of Peace, Head Officers in Corporations, Stew- ards of Leets, &c. to hear and determine Complaints concerning Non-payment of Labourers Wages.

2 & 3 E. 6.  
c. 15.

Labourers, Artificers, &c. conſpiring together con- cerning their Work or Wages, to forfeit 10 *l*. for the firſt Offence, 20 *l*. for the ſecond, and for the third 40 *l*. and if not paid, to ſtand on the Pillory.

5 *Eliz*. c. 4.

Labourers taking Work by the Great, and leaving the ſame unfinished, unleſs for Non-payment of Wages, the Queen's Service, &c. to ſuffer one Month's Imprison- ment, and forfeit 5 *l*. Wages of Labourers, &c. to be yearly

yearly assessed for the County by the Sheriff, and Justices of Peace in the Sessions, and in Corporations by Head Officers in Easter Sessions, Justices neglecting to forfeit 10 l. And Persons giving greater Wages to forfeit 5 l. From the middle of March to the middle of September Labourers to work from five in the Morning till seven or eight at Night, being allowed two Hours for Breakfast and Dinner, &c. and half an Hour for sleeping the three hot Months; and all the rest of the Year from Twilight to Twilight, except an Hour and a half for Breakfast and Dinner, on pain of forfeiting 1 d. an Hour. Labourers in the Harvest-time to go to other Counties, having Testimonials.

By this Statute the 5 El. c. 4. shall give Power to Justices of the Peace to rate the Wages of any Labourers, Weavers, Spinsters, Workmen, &c. Sheriffs, &c. to cause the Rates to be proclaimed. Clothiers, &c. giving less than the Rates appointed to forfeit 10 s.

Payments for Work done in the Woolen Manufacture to be made in ready Money, and not in Cloth, &c. on pain of forfeiting to the Labourer double Value.

See Clothiers.

## Lancaster.

THIS Act was made to annex Lands to the Duchy of Lancaster for Enlargement of it. 37 H. 8. c. 16.

Fines levied before the Justices of Assize of Lancaster, and proclaimed, &c. of Lands in the County-Palatine, to be of equal Force with those acknowledged before the Justices in the Common Pleas. 37 H. 8. c. 19.

Process against an outlawed Person in the County-Palatine of Lancaster, to be directed to the Chancellor of the Duchy, who shall thereupon issue like Writs, &c. to the Sheriff. 5 & 6 E. 6. c. 26.

By this Statute the Court holden before the Chancellor and Counsel of the Duchy of Lancaster was dissolved. 16 & 17 Car. 2. c. 10.

By



19 Car. 2.  
c. 5.

By this Statute the Act 17 Car. 2. c. 7. to be of Force in Causes of Replevin in the Court of Common Pleas for the County-Palatine of Lancaster.

See Abowzy.

### Leases.

32 H. 8 c. 28.

**L**eases made by Tenants in Tail to be good in Law against Lessors, their Wives, Heirs and Successors; but this Act not to extend to Leases of Lands made without Impeachment of Waste, of Estates not let in twenty Years before; nor to any Lease made for above twenty-one Years or three Lives; and the usual Rents to be reserved. All Leases made by the Husband of Lands of the Wife, to be made by Husband and Wife; and no Fine, Escoffment, &c. by the Husband only, of the Inheritance of the Wife, shall prejudice her Interest.

18 Eliz. c. 6.

Upon Leases made by Colleges in the two Universities, Winchester and Eaton, a third Part of the Rent to be reserved in Grain.

18 Eliz. c. 11.

All Leases made by Masters or Fellows of Colleges, Deans and Chapter, Masters of Hospitals, &c. where another Lease is in being, not to be expired or surrender'd in three Years, to be void; and Leases of such Persons, &c. to be made for twenty-one Years, or three Lives, reserving the accustomed yearly Rent, &c. by 13 El. c. 10.

13 Car. 2.

c. 4.

Leases made by the King of Part of the Dutchy of Cornwall to be for three Lives, or thirty-one Years, and not dispoimishable of Waste, whereon the ancient Rent to be reserved; Estates in Reversion with those in Possession not to exceed three Lives, &c.

22 Car. 2.

c. 7.

1 Jac. 2. c. 9.

Where no Rent hath been reserved, the fourth Part of the clear yearly Value to be reserved on such Leases.

This Statute confirms all Grants made in the last Reign, and to be further made by Copy of Court-Roll, according to the Custom of the Manors of the Dutchy of Cornwall, not exceeding one, two or three Lives, or thirty-one Years, or some Term determinable on one, two or three Lives; and Covenants, Conditions, &c. in such

such Leases to be good in Law, as if the King were seised in Fee-simple.

Leases made of Lands in *Cornwall* by King *Charles* the 5 & 6 W.  
Second, &c. to be good against the King, &c. & M. c. 8.

By this Act Leases from the Crown of Lands in Eng- 10 Ann. c. 18.  
*land* and *Wales*, and under the Seals of the *Dutchy* of  
*Launcester*, for one, two or three Lives, or some certain  
Terms not exceeding fifty Years, omitted to be inroll'd,  
allowed further Time for Inrollment.

Leases made, or to be made, and Grants by Copy of 12 Ann. c. 11.  
Court-Roll of Lands, &c. belonging to the *Dutchy* of  
*Cornwall*, to be good in Law against the Queen, and all  
who shall inherit that *Dutchy*.

A Person, for whose Life an Estate is granted, absent  
for seven Years, accounted as dead.

See Deaths and Decreases of Persons, &c.

Landlords, see Tenants.

## Libraries.

**L**ibraries erected in Parishes to be preserved for the 7 Anne. c. 14.  
Uses directed by the Founder. Incumbents to give  
Security to preserve the same; make Catalogues of the  
Books in six Months after their Institution, to be deliver-  
ed to the Ordinary. Upon the Death of an Incumbent the  
Library to be lock'd up by Churchwardens, &c. A Book  
to be kept for entering Benefactions. No Books alienable  
without the Consent of the Ordinary; and the Ordinary,  
&c. may enquire of the State of Libraries in Visitations.

Limitation, Seisin in a Writ of Right, shall be within  
sixty Years before the Test of the same Writ, 32 H. 8. c. 2.

See Actions.

London.

## London.

9 H. 3. c. 9. **BY** *Magna Charta* the Liberties of the City of London, &c. are confirmed.

10 E. 2. Lords of Rents in London by a Writ of *Gavelet* in the *Hustings* may recover them.

18 E. 3. c. 10. The Mayor, &c. of London to cause Errors, Defaults and Misprisions to be redress'd, under the Penalty of 1000 Marks, &c. The Constable of the Tower to execute Processes against the Mayor, &c. for Default, &c.

19 Car. 2. c. 23. This Statute was made for erecting a Judicature for determining Differences relating to Houses burnt by the Fire; and lays down certain Rules and Directions for Workmen, &c. in rebuilding the City of London, which were to be observed on pain of demolishing the House otherwise built. The Outfides of Buildings to be of Brick or Stone; to be Party-Walls; and to be Houses of three Sorts; the first and second for Lanes and Streets to be two or three Stories high, and the other Sort for principal Streets four Stories high; in the Front of Houses in High Streets to be Balconies four Foot broad. Artificers not free of the City to enjoy such Liberties as Freemen till the City finished. Houses to be built in three Years, or in Default the Ground sold by the Lord Mayor, &c. to others. Lord Mayor, &c. may enlarge Streets, and order which shall be called Lanes, Streets, and High Streets, &c.

21 Car. 2. c. 11. The Lord Mayor, Aldermen and Common Council to set out Markets, and Places for Enlargement of them, by Approbation of his Majesty; and to enquire of Value of Ground taken in by a Jury. No Builders shall lay Foundations till Surveyors have viewed the same. Justices of the King's Bench, Common Pleas, and Barons of the Exchequer may decree Leases against Infants, &c. for fifty-one Years, to such as will undertake to rebuild, upon Petition of the next of Kin, &c. The Number of Parishes to be rebuilt, and Churches, to be fifty-one. A Duty is granted on Coals for rebuilding of Churches, &c. And *Bridewell* Dock to be made navigable to *Holborn* Bridge.



Bridge. Water to be conveyed by Pipes from the tops of Houses fronting Streets, Lanes, &c. into Channels.

This Statute ascertains the Tithes of the Parishes in London, the Churches whereof were burnt, none less than 100 *l. per Annum*, nor above 200 *l.* besides Glebes, Perquisites and Gifts. And Assessments to be made by Aldermen of Wards, Common Council Men, and Churchwardens, to be levied by Distress on Non-payment, and be accounted for quarterly.

By this Statute the Lord Mayor, &c. has Power to appoint Persons to set out the Manner of paving and pitching Streets and Lanes, and also of Drains and Sewers, and to impose a Tax upon Houses in Proportion to the Benefit they receive thereby, &c.

This Act reciting a Judgment given in B. R. in Trinity Term, 35 Car. 2. in a *Quo Warranto* against the Mayor and Citizens of London, that the Franchise of the said City should be seized into the King's Hands as forfeited, reverses and makes void the Judgment, and confirms all Grants, Leases, &c. restores all Officers, Companies, &c. and vacates all Charters, &c. made since the said Judgment by King Charles the Second or King James the Second.

By this Act Persons authorised by the Lord Mayor, Aldermen and Common Council of London, to have the same Power in London and Liberties thereof, as Commissioners of Sewers in any other County or Place.

See Engines for extinguishing Fires in London, under Title Fire, &c.

## Longitude.

THIS Statute appoints the Lord High Admiral and several others, Commissioners for finding the Longitude at Sea, and that any five of them may receive Proposals for that Purpose; and if they are satisfied of the Probability of such a Discovery, the Commissioners of the Navy have Power to make Bills for any Sum not exceeding 2000 *l.* to make the Experiment. And the first Discoverer of a Method to receive 10,000 *l.* if it determines the same to one Degree of a Circle, 15,000 *l.* if it determines to two thirds of that Distance, and 20,000 *l.* if it determines the same to one half of a Degree.

### Lotteries.

5 & 6 W. &  
M. c. 7.

**T**HIS Statute grants a Duty on Salt, and additional Duties on Beer, Ale, Cyder, Brandy, &c. as a Fund to raise 140,000 l. a Week for Payment of 1000000 l. to be raised by way of Lottery. Lottery Tickets 10 l. each, and to be in Number 100,000. whereof 2500 to be Benefits, amounting to 40,000 l. per Annum. The fortunate Adventurers to have yearly Annuities for sixteen Years together, and those which are not fortunate, to have 20 s. per Annum for each Ticket, payable half-yearly, &c. Foreigners as well as Natives may contribute to advancing the Sum.

10 Ann c. 19.

By this Statute the Duties upon Soap, Paper, chequer'd and strip'd Linnens, and upon stam'd Vellom, Parchment and Paper, are granted for thirty-two Years, as a Fund for raising two Millions 241,740 l. by way of Lottery; and for clearing the Principal and Interest at 6 per Cent. Any Person may contribute by paying several Sums of 10 l. and shall for every such Sum be entitl'd to one Lot. Managers and Directors to be appointed, who shall meet at a publick Office, keep Books, deliver Tickets, &c. The Benefit-Tickets were one of 12000 l. another 5000 l. a third 4000 l. two of 3000 l. and 2000 l. each, ten of 1000 l. eighteen of 500 l. thirty of 200 l. an hundred of 100 l. five hundred sixty four of 50 l. and nine thousand two hundred sixty nine of 20 l. each. Adventurers to be entitl'd to the principal Sums of 10 l. and Interest, besides the Lots. Counterfeiting the Tickets, or altering the Number, made Felony.

Lustring

## Lustring Company.

**BY** this Act the Royal *Lustring* Company erected by 9 & 10 W. 3.  
King *James* the Second for fourteen Years, and by 6. 43.  
4 & 5 W. & M. incorporated with perpetual Succession for  
making and dressing Alamodes and Lustrings in England,  
is declared a Body Politick and Corporate; and the said  
Company to have the sole Benefit of making dressing and  
lustrating Alamodes and Lustrings for fourteen Years,  
&c.

## Lunaticks, Ideots, &c.

**T**HE King to have the Custody of Lands of Ideots, 17 E. 2. c. 9.  
finding them Necessaries, &c. and after the Death  
of such Ideots, rendering the Estates to the right Heir.  
The King to take care the Lands of Lunaticks be pre- 17 E. 2. c. 10.  
served, and their Families maintained with the Profits;  
and that the Residue be kept for their Use, &c.

Furious Lunaticks wandering may be apprehended, 12 Anne,  
and pass'd by Justices to the legal Place of Settlement, in Sess. 2. c. 23.  
the same Manner as Vagrants, Whipping excepted.

## Malt.

**M**ALT to be three Weeks a making, except in 2 & 3 E. 6.  
*June, July and August*, and seventeen Days in c. 10.  
those Months. Bad Malt not to be mingled with good,  
on pain of forfeiting 2 s. per Quarter. Half a Peck of  
Dust to be taken out of every Quarter, on pain of 1 s. 8 d.  
per Quarter. And Constables, &c. may search for  
faulty Malt, &c.



- 8 & 9 W. 3. By this Statute a Duty of 6 d. per Bushel was granted  
 c. 22. on Malt, which has by subsequent Acts been yearly continued ever since. Malsters once a Month to make an Entry at the Excise Office of all Malt made, under the Penalty of 10 l. And to pay the Duty in three Months, or forfeit double Value. Officers of the Excise to enter and take Gauges, Malsters refusing to forfeit 5 l. Malsters altering their steeping Vessels without giving Notice, or using private Cisterns to forfeit 50 l. Malt perishing by Fire or Water, the Duty to be repaid.
- 2 Anne, c. 2. Malsters concealing or conveying away Malt from the Sight of the Gauger, to forfeit 10 s. a Bushel. Justices of Peace have Power to mitigate Penalties so as they be not reduced to less than double Duty, &c.
- 1 Geo. The Time of paying the Duty enlarged to four Months.

### Mandamus.

- 9 Anne,  
 c. 20. PROCEEDINGS on a *Mandamus* to be in Nature of Action on the Case for a false Return. Persons intruding into the Office of Mayor, Bailiff, &c. in any Corporation, &c. a *Quo Warranto* may be brought against the Usurper, &c. and if the Defendant be found guilty of an Usurpation, the Court to give Judgment of Ouster, and fine the Offender, &c. The Statutes of *Jesuits* to extend to Writs of *Mandamus*, &c. No Person to execute an annual Office for more than one Year, and obstructing the chusing of another incurs a Penalty of 100 l.

### Marriage and Matrimony.

- 2 & 3 B. 6. LAWS, Canons, &c. prohibiting Marriage to Spiritual Persons, declared void.  
 c. 21.  
 12 Car. 2. Marriages in the Time of Oliver's Administration, before Justices of Peace, or by any Ordinance of Parliament, confirmed.  
 c. 33.

Persons.

Parsons, Vicars, or Curates marrying any Person without Publication of the Banns of Matrimony, or without License, to forfeit 100 *l.* Parsons employing other Ministers to do it, liable to the same Penalty. And Persons married to forfeit 10 *l.* and the Clerk of the Parish 5 *l.* 7 & 8 W. 3. c. 35.

This Act is to the same Effect as the preceeding, and extends likewise to privileged Places, so that if an Offender be a Prisoner in any Place, on Conviction, &c. he shall be removed to the County-Gaol, there to remain in Execution charged with the Penalty of 100 *l.* And Gaolers knowingly permitting Marriages, to forfeit 100 *l.* 10 Ann. c. 19.

Marrying a second Husband or Wife, the first living; or stealing a Woman, Felony.

See Title Felony.

### Marshalsea.

THE Stewards and Marshals of the King's House not to hold Plea of Freehold, Debt, Covenant or Contract, but only of Trespas within the Verge; or of Contracts and Covenants when both Parties are of the House. 28 E. 1. c. 3.

The Jurisdiction of the Steward and Marshal of the King's House is by this Statute limited to twelve Miles from the King's Lodging. 13 R. 2. c. 3.

Error in the *Marshalsea* Court may be removed by the Plaintiff into B. R. 10 E. 3. c. 3.

The Fees of the *Marshalsea* to be as follows, 4 *d.* for a Person coming in by *Capias*, and if he be bail'd 2 *d.* more; of the Defendant that findeth Bill to answer 2 *d.* for every Commitment 4 *d.* and for every one delivered or bailed for Felony 4 *d.* 2 H. 4. c. 23.

Merchants

**Merchants and Merchandize.**

- 9 H. 3 c. 30. **M**erchant-Strangers to have safe Conduſt coming in to, going out of, and remaining in *England*, to buy and ſell, &c. except in Time of War.
- 14 E. 3. c. 2. All Merchants (except Enemies) may ſafely come into *England* with their Goods and Merchandizes.
- 27 E. 3. c. 3. All Merchants may buy Merchandize of the Staple.
- 27 E. 3. c. 17. No Merchant to be impleaded for another's Debt and Treſpaſs, where he is not Debtor, Pledge, &c. Alien Merchants to have forty Days Notice to ſell their Effects and depart, on any Difference with a Foreign State.
- 38 E. 3. c. 2. Any Merchant may deal in more Merchandizes than one.
- 5 R. 2. c. 1. By this Statute Merchant-Strangers may come into this Realm and depart at their Pleaſure, and they are to be friendly entertained.
- 4 H. 4. c. 15. Merchants not to export Money received for Merchandize imported.
- 5 H. 4. c. 9. Merchant-Strangers to employ their Money on the Commodities of this Realm.
- 1 R. 3. c. 9. *Italian* Merchants to ſell their Merchandize at the Port where they land in Groſs, and not by Retail, on pain of Forfeiture.
- 1 El. c. 11. Merchandize to be laden and unladen in the Day-time under the Penalty of 5 *l*.
- 43 El. c. 12. This Statute gives Power to the Lord Chancellor to award a Commiſſion for determining Cauſes relating to Policies of Inſurance in *London*, entred in the Inſurance-Office. The Commiſſion to be directed to the Judge of the Admiralty, the Recorder, two Doctors of the Civil Law, two Common Lawyers, and eight Merchants.
- 3 Jac. 1. c. 6. All the King's Subjects to have a free Trade to and from *France*, *Spain* and *Portugal*.
- 12 Car. 2. c. 4. This Statute makes it lawful for Merchants to tranſport Iron, Armour, Bandeliers, Piſtols, Swords, &c.
- 13 & 14 Car. 2. c. 13. None to ſell, import or export Foreign Bonelace, Imbroidery, Fringe, &c. under the Penalty of 50 *l*. ſelling, and 100 *l*. for importing, and alſo the Goods.



This Act enlarges the Power of Commissioners for determining Differences arising from Policies of Insurance in London. 13 & 14 Car. 2. c. 23.

Merchants, &c. selling Wines by Wholesale or Retail, who shall corrupt or adulterate the same, or utter any adulterated Wine, to forfeit 300 l. 1 W. & M. c. 34.

An Allowance of 8 per Cent. is made to Merchants out of the Duty on Tobacco on Importation, and 25 Pound in a hundred for damag'd Tobacco, &c. 12 Anne, c. 8.

### Militia.

THIS Act is declarative of the King's Right to the supreme Government of the Militia, and of all Forces by Sea and Land, &c. 13 Car. 2. c. 6.

By this Act the King may issue Commissions of Lieutenancy for the several Counties and Cities, and the Lieutenants or Deputies may charge any Person of 500 l. per Annum, or who is worth 6000 l. in Goods or Money, with a Horse, Horseman and Arms; and Persons having 50 l. per Annum, or 600 l. in Goods, with a Foot-Soldier. Estates under 100 l. a Year, and personal Estates, &c. under 1200 l. not to contribute to a Horse. Lieutenants, &c. to require 2 s. a Day for Troopers, and 1 s. a Day for a Foot-Soldier; may imprison Mutineers, &c. inflict Penalties, &c. General Musters to be but once a Year, and for training single Companies four Times a Year. Every Musqueteer to have a Musket three Foot long in the Barrel, &c. to bring half a Pound of Powder; Horseman a Quarter of a Pound, &c. Persons charged not compellable to serve in Person.

Persons charged to allow 2 s. 6 d. per Day for each Trooper, on pain of 1 s. and 1 s. to a Foot-Soldier, on pain of 2 s. The Lieutenants or Deputies may inflict a Penalty of 5 l. on Persons refusing to provide a Foot-Soldier; and appoint Constables to provide, &c. Every Soldier once a Year to pay his Muster-Master, if a Horseman a Sum not exceeding 1 s. if a Footman 6 d. to be levied by Distress. None having Estates of 100 l. per Annum, or personal Estates of 2400 l. Value chargeable with Foot. 15 Car. 2. c. 4.

These

- 2 *W. & M.* These Acts were made for raising the Militia in each  
 3 *W. & M.* Year. And if the King draws out the Militia into actual  
 Service, the Persons charged to provide each their Sol-  
 dier a Month's Pay in Hand.
- 4, 5, 6, 7 All like Acts for annual raising of the Militia, and by  
 & 8 *W. 3.* the last the Lieutenancy are to find Persons for Papists,  
 charging them with 8 *l.* a Year for a Horseman, and 30 *s.*  
 for a Foot-Soldier, to be levied by Distress, &c.
- 9, 10, 11 All Statutes for raising the Militia in each Year, altho'  
 & 12 *W. 3.* the Month's Pay formerly advanced be not paid.
- 1, 2, 3, 4, These Statutes were likewise made for the yearly raising  
 5 & 6 *Ann.* of the Militia.
- 7, 8, 9, 10, Likewise Acts for raising the Militia annually ; and the  
 11 & 12 10 *Anna.* requires Persons in *Dorsetshire* to account for  
*Anna.* Moneys received for raising the Militia on King *William's*  
 landing in the *West*, undisposed.
- 1, 2, 3 & All Acts for raising the Militia, the first whereof re-  
 4 *Geo.* quires that Horsemen be provided with a Case of Pistols  
 of twelve Inches long in the Barrel, a Carabine with Belt  
 and Bucket, great Saddle, &c. And Foot-Soldiers with  
 a Musket five Foot long in the Barrel, the Gage of the  
 Bore for Bullets of 12 to the Pound, with a Bayonet to fix  
 in the Muzzle, a Cartouch Box and Sword.

### Mines and Mine-Adventurers.

- 1 *W. & M.* NO Mine of Copper, Tin, &c. to be adjudged a  
 6. 30. Royal Mine, though Silver, &c. be extracted.
- 5 *W. & M.* Persons having Mines of Copper, Tin, &c. to enjoy  
 6. 6. them, though claimed to be Royal Mines, but the King  
 may have the Oar (except in *Devon* and *Cornwall*) paying  
 to the Owners 16 *l.* per Ton for Copper, Oar having  
 Tin in it 40 *s.* a Ton, Lead 9 *l.* per Ton, &c.
- 9 *Anna.* 24. By this Statute all Grants, Contracts, Bargains, Leases,  
 &c. made of Mines by the Governor and Company of  
*Mine-Adventurers*, since they stop'd Payment of their Bills,  
 declared void ; and new Shares above the 6012 Shares  
 allowed by their Charter to be void. Creditors of the  
 Company to be Partners with the Proprietors of the 6012  
 Shares. Every Member having in his own Right five  
 Shares, and Creditors for the Sum of 100 *l.* to assemble  
 and

and choose a Deputy-Governor and twelve Directors, each having twenty Shares, an Annuity from the Company of 24 *l. per Annum*. or being Creditor for 400 *l.* After the Death of the Duke of *Leeds*, the present Governor, Governors to be yearly chosen, having ten Shares, Deputy-Governors six, and Directors having four Shares. The Duke of *Leeds* not subject to any Attendance, &c.

### Monasteries, Abbeys, &c.

**B**Y this Statute all Monasteries, Priories, &c. not above the Value of 200 *l. per Annum* were given to the King, who sold the Lands at low Rates to the Gentry; and 29 *H. 8.* the rest of the Abbots, &c. made voluntary Surrenders of their Houses to obtain Favour of the King. *Anno 31 H. 8.* a Bill was brought into the House to confirm those Surrenders, which passing, completed the Dissolution, except the Hospitals and Colleges which were not dissolved; the first till the 23d, and the last till the 37 *H. 8.* and Commissioners were appointed to enter and seise the said Lands, &c. 27 *H. 8. c. 28.*

Money, see Coin.

### Monopolies.

**A**LL Monopolies and Commissions for the sole buying, selling and making, &c. of Goods, Manufactures, &c. declared void; and Persons grieved thereby to recover treble Damages and Costs. But this Act not to extend to Inventors of new Manufactures, who have Patents or Grants for Terms of Years, nor to any Grant of Privilege for Printing, or to Corporations, Companies of Trade, &c. 21 *Jas. I. c. 3.*

And by this Statute all Letters Patent made for the sole making of Brandy, &c. from Corn of any Sort as a new Invention, are made void. 2 *W. & M. Sess. 2. c. 9.*



**Mortdancestor.**

9 H. 3. c. 12. **BY** this Act the Writ of *Mortdancestor* is to be taken in the proper County.

52 H. 3. c. 16. By this Statute, if the Lord would not render to the Heir his Land at full Age, the Heir to recover by Assise of *Mortdancestor*.

6 E. 1. And if a Person die, having many Heirs, the next Heir shall recover against others a farther Degree off, by *Mortdancestor*.

6 E. 1. c. 1. Damages to be awarded in all Cases on Recovery by *Mortdancestor*.

**Mortgages:** see **Frauds, &c.**

**Mortmain.**

Mag. Chart. **IF** any Person shall give Lands to a religious House, the Grant to be void, and the Land forfeited.

36. 9 H. 3. Where Lands are alienated in Mortmain to a religious Person, the King or other immediate Lord may enter within a Year.

27 E. 1. The King's License to be had for amortizing of Lands, and the Writ *ad quod damnum* shall issue out of the Chancery to enquire concerning the same.

18 E. 3. c. 3. Prelates, Clerks, &c. not to be impeach'd for purchasing Lands in Mortmain, on producing the King's Charter of License obtained for the same, &c.

23 H. 8. c. 10. Grants made of Lands, &c. for the Use of any Church, &c. or for continual Service of a Priest, &c. for ever, or for sixty Years, to be void. But such Uses may be made for twenty Years.

17 Car. 2. Churches may be united by the Consent of the Diocesan, Patron, and chief Officers of any Place, &c. And Owners of Impropriations, Tithes, &c. may annex the same.

same without any License of Mortmain. Two Churches united into one not to exceed in Value 100 l. per Annum.

This Statute gives the King Power to grant any Person or Bodies politick, &c. License to alien in Mortmain, and to purchase and hold Mortmain in Perpetuity, &c. 7 & 8 W. 3. c. 37.

Corporations for the First-Fruits settled by this Act for the Maintenance of poor Clergy, to hold and enjoy without any License in Mortmain. &c. 2 Anne, c. 11.

## Murder.

**M**urder not to be adjudged where it is found by Misadventure, but where it is done with a felonious Intent. 52 H. 3. 25.

Offenders for Murder and Accessaries being indicted, to be arraigned at any Time within the Year, at the King's Suit; and if the Principal or Accessary be acquit, yet the Justices shall not suffer them to go at large, but either remand them to Prison, or let them be bailed, until the Year and Day be out, allowed for an Appeal. 3 H. 7. c. 1.

If any be indicted, &c. for the Death of a Person attempting to murder him, rob, or commit Burglary, he shall forfeit no Lands, but be acquitted. 24 H. 8. c. 5.

A Person wounded, &c. in one County, and dying in another, the Offender to be indicted in the County where the Party dies. 2 & 3 E. 6. c. 24.

All Murders, Felonies, &c. on the Land in Newfoundland, or in any of the Islands there (heretofore triable before the Lord High Constable and Marshal) to be tried in any County in England by the King's Commission of Oyer and Terminer. 10 & 11 W. 3. c. 25.

All Murderers and Felons to be imprisoned in the Common Gaol. 11 & 12 W. 3. c. 19.

**N**aturalization of Aliens. No Person in the Colonies of New England, Massachusetts Bay, Rhode Island, Connecticut, New York and New Jersey, to cut any Pine, Birch or Fir Trees, not being within any

### Naturalization.

- 7 Jac. 1. c. 2. **N**O Person to be naturalized until he has received the Sacrament, and taken the Oaths of Allegiance and Supremacy.
- 29 Car. 2. c. 6. Persons born out of the King's Dominions, whose Parents were natural-born Subjects, from 1640 to 1660, declared naturalized, as if born in *England*.
- 9 & 10 W. 3. c. 10. Natural-born Subjects having Children out of his Majesty's Dominions during the late War, declared natural-born Subjects, &c.
- 7 Anne, c. 5. Children of natural-born Subjects, born abroad; and all Persons born out of the Queen's Allegiance, taking the Oaths, &c. in the Courts at *Westminster*, &c. deemed natural-born Subjects, &c. But by Stat. 10 Anne, c. 5. this last Part of the Statute is repeal'd, but not to prejudice Persons naturalized.

### Naval Stores.

- 22 Car. 2. c. 5. **P**ersons feloniously stealing or imbezilling any of the King's Naval Stores to the Value of 20 s. not to have Clergy.
- 9 & 10 W. 3. c. 41. None but the Contractors, with the Commissioners of the Navy, &c. shall make any Stores of War, Naval Stores, &c. with the Marks commonly used to his Majesty's Stores, upon pain of forfeiting of 200 l. Persons in whose Custody such Stores shall be found conceal'd, liable to the same Penalty.
- 3 Ann. c. 10. Persons importing directly from the Plantations in *America* any Naval Stores, shall have as a *Præmium* paid by the Commissioners of the Navy, for Masts, &c. 10 l. per Ton, Tar and Pitch 4 l. per Ton, Rosin 3 l. and Hemp 6 l. a Ton. No Persons in the Colonies of *New Hampshire*, *Massachusetts Bay*, *Rhode Island*, *Providence*, *Connecticut* in *New England*, *New York* and *New Jersey*, to cut any Pine, Pitch or Tar Trees, not being within any Fence,



Fence, under the Growth of twelve Inches Diameter, three Foot from the Earth on pain of 5 *l.* setting Fire to Pitch, Pine or Tar-Trees to forfeit 10 *l.*

By this Act the Penalty is made 100 *l.* for cutting Pine-Trees fit for Masts in the Plantations, not being the Property of any private Person, such Trees being of the Growth of twenty-four Inches Diameter, at twelve Inches from the Earth. 9 *Anna*, c. 17.

This Act grants the same *Premiums* for Masts, Pitch, &c. imported from Scotland, as 3 *Anna*, c. 101 appoints for Naval Stores imported from America. 12 *Anna*, c. 9.

### *Nisi Prius.*

Justices to be assigned to take Assises of Novel Disseisin, &c. and have in their Circuits Clerks to inroll all Pleas, &c. 13 *E.* 1.

Justices of *Nisi Prius* have Power to record Nonuits and Defaults, &c. in the Country at the Days assigned, and are to report them in the Bench, &c. 12 *E.* 2. c. 4.

Justices of the Assise and of *Nisi prius* to hear and determine Conspiracy, Confederacy, Champerty, &c. And by 5 *E.* 3. *Nisi prius* shall be granted in Attaints; but that which cannot be determined before the Justices upon the *Nisi prius*, shall be adjourned to the Bench where they are Justices. 4 *E.* 3. c. 11.

Justices of *Nisi prius* are impower'd by this Act to give Judgment in Felony and Treason, and award Prosecution. 14 *H.* 6. c. 1.

The Chief Justice of England, Chief Justice of the Common Pleas, and the Chief Baron of the Exchequer, upon Issues joined in their several Courts, are made Justices of *Nisi prius* for the County of Middlesex, and may sit in Westminster-Hall, &c. 18 *Eliz.* c. 12.

**Nolle Prosequi.**

4 & 5 W.  
& M. c. 18.

**I**F a Person against whom an Information shall be exhibited for Trespass, Battery, &c. in the Crown-Office, appear and plead to Issue, and the Prosecutor do not within a Year after Issue joined procure a Trial, or if upon such Trial a Verdict pass for the Defendant, or the Informer procure a *Nolle prosequi* to be entered, the Court shall award the Defendant Costs, unless the Judge certifies that there was reasonable Cause for the Information.

**Nonjurors.**

13 & 14  
Car. 2. c. 1.

**P**ersons maintaining that an Oath is unlawful, or refusing to take Oaths enjoined by Law, &c. to forfeit 5 l. for the first Offence, 10 l. for the second, and be imprisoned six Months, and for the third Offence to abjure the Realm.

17 Car. 2.  
c. 2.

Parsons, Vicars, Ecclesiastical Persons, &c. not taking the Oaths, and giving their Consent to the Declaration, 14 Car. 2. c. 4. not to preach under the Penalty of 40 l. nor teach School under the same Penalty. But by Statute 1 W. & M. c. 18. Protestant Dissenters are exempted.

1 W. & M.  
Sess. 1. c. 8.

In this Act there is a Clause that the King may grant such of the Clergy as refuse to take the Oaths he shall think fit, not above twelve, an Allowance out of their Ecclesiastical Benefices, for their Subsistence, not exceeding a third Part.

7 & 8 W. 3.  
c. 27.

Persons refusing to take the Oaths, to incur, forfeit and suffer the Penalties inflicted on Popish Recusants Convict, and the Court of Exchequer may issue out Process against their Lands and Goods, &c.

*Refusance.*

## Nuisance.

**A** Writ of Nuisance shall be granted as well against the Alience, as against the Party that levied it. 13 E. 1. c. 24.

All Writs of Nuisance call'd *Vicontiel*, to be made at the Election of the Plaintiff, determinable before the Justices of either Bench. 6 R. 2. c. 3.

None shall cause any Garbage, Dung, &c. to be cast into Ditches, &c. within or near any Town, or the Suburbs thereof, on pain of Punishment by the Lord Chancellor at Discretion, as a Nuisance. 12 R. 2. c. 13.

Making, selling, or exposing to Sale, any Squibs, Rockets, Serpents, or other Fire works, &c. adjudged a common Nuisance. 9 & 10 W. 3. c. 7.

## Oaths.

**B**y *Magna Charta* the Oaths of the King, the Bishops, the King's Counsellors, Sheriffs, Mayors, Bailiffs, &c. were appointed. *Magn. Chart.*

This Statute obliges Judges to take the Oaths to do Right to all without respect of Persons. 18 E. 3. c. 1.

By this Statute Ecclesiastical Persons are required to take the Oaths of Supremacy, &c. 1 Eliz. c. 1.

By this Act Persons are to take the Oaths, receive the Sacrament, &c. to qualify them to bear any Office of Magistracy in a Corporation. 13 Car. 2. c. 1.

Officers of the Lieutenantcy and Militia by this Statute are required to take the Oaths. 13 Car. 2. c. 6.

All Persons that shall bear Office Civil or Military, or receive any Salary, &c. from the King, to take the Oaths of Allegiance and Supremacy; Persons refusing disabled, &c. 25 Car. 2. c. 2.

This Statute regulated the Coronation Oath for King William and Queen Mary, and ordered it to be administered to future Kings and Queens. 1 W. & M. 2. c. 6.



1 *W. & M. 1. c. 8.* By this Act the Oaths of Allegiance and Supremacy are abrogated, and others appointed to be taken by Officers Civil and Military, Ecclesiastical Persons, &c. on pain of Disability, &c.

7 & 8 *W. 3. c. 27.* This Act was made for enforcing 1 *W. & M.* in respect to taking the Oaths, and the Association entered into for King *William* declared lawful, &c. Quakers subscribing Declaration of Fidelity exempted from Penalties.

13 *W. 3. c. 6.* All that bear any Office Civil or Military, or receive any Salary, &c. under his Majesty, or the Prince or Princess of *Denmark*, Ecclesiastical Persons, Members of Colleges, Schoolmasters, Preachers, Serjeants at Law, Counsellors, Attorneys, Solicitors, Proctors, Advocates, &c. to take the Oath of Abjuration, &c. Persons neglecting or refusing, incapable to execute Offices and Employments, disabled to sue in Law or Equity, or to be Guardian, Executor, &c. and to forfeit 500 *l.* This not to extend to Constables, and other Parish-Officers, nor Bailiffs of Manors, &c.

1 *Ann. c. 22.* This Statute obliges the receiving the Abjuration-Oath with Alterations.

4 *Anna, c. 8.* By this Act the Oath of Abjuration is settled after the Death of her Majesty without Issue.

1 *Geo. c. 55.* This Statute requires the taking the Oath of Abjuration, with further Alterations, under Penalties 13 *W. 3. c. 6.* And Papists, &c. not taking the Oaths, and refusing to register their Estates, to forfeit Lands, &c.

#### See Recusants.

#### Officers.

2 *H. 6. c. 10.* ALL Officers made by the King's Letters Patent within his Courts to be sworn to appoint such Clerks and Ministers under them, as they will answer for at their Peril, and such as are sufficient.

5 & 6 *E. 6. c. 16.* This Statute prohibits the Sale of Offices, concerning the Administration of publick Justice, on pain of Forfeiture, and Contracts to be void, &c.

This

This Act was made to oblige all Persons bearing Offices Civil or Military, &c. to take the Oaths, as already observed in Oaths. 25 Car. 2. c. 2.

This Act enjoins all Persons bearing Offices Civil or Military, to subscribe the Association, to stand by King William, on pain of Forfeitures and Penalties, &c. 7 & 8 W. 3. c. 27.

No Person that hath forfeited any Office to which another is preferred, shall be restored to such Office. 1 Ann. c. 2.

### Ordinaries.

Where an Intestate dies in Debt, and the Goods come to the Ordinary to be disposed, the Ordinary to satisfy the Debts as far as the Goods extend, as an Executor would do. 13 E. 1.

Temporal Justices not to make Enquiry of Process awarded by the Spiritual Judges. 18 E. 3. c. 6.

By this Statute the Ordinary may counterplead the King's Title in respect to Presentation. 25 E. 3. c. 7.

See Adbolson.

### Orphans.

THE Lands, Markets, Fairs, &c. belonging to the City of London (except such as belong to Hospitals, and are liable to the Repairs of London Bridge) chargeable for ever for raising 8000 l. per Annum, to be appropriated for a perpetual Fund for Orphans. And for the raising such a Fund, the Common Council may assess 2000 l. yearly upon the personal Estates of Inhabitants, and distrein for the same, &c. Every Apprentice to pay 2 s. 6 d. when he is bound, and 5 s. when he is admitted a Freeman. And 4 s. per Ton upon Wine is granted for the Increase of the Fund. The Fund to be applied for Payment of Debts due to Orphans by Interest after the Rate of 4 per Cent. for ever. Debts of the said Orphans assigned, redeemable on Payment of Principal and Interest. 5 & 6 W. & M. c. 10.

Interest at 8 per Cent. No Person compellable to pay in to the Chamber any Sum of Money, &c. belonging to any Orphan of a Freeman.

### Oil,

3 H. 8. c. 14. **T**HE Lord Mayor of London, and the Warden and Masters of the Tallow Chandlers Company, to search all Oils brought to London, and if any deceitfully mixt, to throw it away, and punish the Offender. Head Officers in Corporations have like Power.

7 & 8 W. 3. c. 33. The Greenland Company exempted from Payment of Custom for Oil, Blubber, &c. imported in their own Vessels.

### Papists.

35 Eliz. c. 2. **P**apists to repair to their usual Place of Residence, and not remove above five Miles without License, on pain of forfeiting Goods, &c.

3 Jac. 1. c. 5. Papists not to come to Court under the Penalty of 100 l. To be disarmed, &c. See this Statute, Crown.

3 Car. 1. c. 2. Persons going beyond Sea to be trained up by Papists, to forfeit their Goods and Chattels, &c. unless they conform within six Weeks after their Return. Sending Children incurs a Penalty of 100 l.

1 W. & M. s. 1. c. 9. The Lord Mayor of London, and Justices of Peace, &c. to cause to be brought before them Papists, who refusing to subscribe the Declaration 30 Car. 2. to suffer as Popish Recusants Convict. But this Act not to extend to such as use any Trade or Manual Art; and Foreign Merchants, Servants to Ambassadors, &c. are excepted.

1 W. & M. c. 15. Papists or reputed Papists refusing to appear and subscribe the Declaration, not to keep in their Houses any Arms, Weapons, Gunpowder, &c. and Justices of Peace may order the same to be seized, &c. Nor to keep any Horse above the Value of 5 l. which may be likewise seized.



seised. Persons concealing Arms or Horses, or hindering Search, to be committed, and forfeit treble Value.

Persons refusing to repeat and subscribe the said Declaration, disabled to make any Presentation, &c. as if a Popish Recusant Convict, and the Universities to present, &c. presenting contrary to this Act to forfeit 500*l*.

This Act requires Papists, or reputed Papists, who refuse to take the Oaths 1 *W. & M.* to pay double to the Land Tax, &c. 8 *W. 3. c. 6.*

Persons apprehending a Popish Priest, &c. saying Mass to have 100*l*. from the Sheriff four Months after Conviction. And such Priests, &c. and Papists who keep Schools, &c. to suffer perpetual Imprisonment. Persons educated in the Popish Religion, not taking the Oaths when they come to Age, disabled to inherit or take Lands, &c. and during their Lives the next Protestant Relation to enjoy, &c. Lord Chancellor may take Care of the Education of Protestant Children whose Parents are Papists. 11 & 12 *W. 3. c. 4.*

Every Papist and Trustee, &c. for Popish Children, disabled to present to any Benefice, &c. And Presentations by them to be void. And the Chancellor and Scholars of the University to present as by the Act 3 *Jac. 1.* And Bishops are required to examine Persons presented on Oath before Institution, whether the Person presenting be the real Patron, and made it in his own Right, or whether he be not a Trustee for a Papist, &c. The Person refusing to be examined, the Presentation to be void. This Act not to extend to Scotland. 12 *Annæ, Sess. 2. c. 14.*

The first of these Acts requires Papists to register their Estates on pain of Forfeiture. And by the last, Sales of Lands of Papists (incurring the Disabilities 11 & 12 *W.*) to Protestant Purchasers, are confirmed notwithstanding Disability of Persons joining in the Sale, unless before Sale the Person who is to take Advantage of such Disability has recovered, or entered his Claim, &c. No Lands to pass from Papists by Deed or Will, without Inrollment. Papists made incapable of purchasing any Lands, &c. 1 & 3 *Geo.*

See more, Crown and Oaths.

## Pardon.

- 1 E. 3. c. 2. **N**O Charter of Pardon for Murder, &c. to be granted, but where one killeth another in his own Defence, or by Misadventure.
- 10 E. 3. c. 3. This Act requires Persons pardoned to find Surety for their Good Behaviour, which is to be returned into Chancery, &c.
- 14 E. 3. c. 15. No Pardon of the Death of a Man to be granted, or other Felony, but where the King may do it consistent with his Coronation-Oath.
- 13 R. 2. c. 1. The Offence to be specified in Pardons; and no Pardon of Treason or Felony shall pass without Warrant of the Privy Seal; if the Offence be found wilful Murder, the Pardon not to be allowed. And in an Appeal of Death the King cannot pardon.
- 16 R. 2. c. 9. This Act was made for a General Pardon of Persons concerned in the Grand Rebellion against King *Charles I.* except Persons who sat in the traiterous Assembly which proceeded against the King's Life, the two Persons who appeared disguised on the Scaffold at the King's Murder &c.
- 12 Car. 2. c. 11. This Statute likewise grants a General Pardon.
- 25 Car. 2. c. 5. By this Act a General Pardon is granted on Account of the Revolution, and Abdication of King *James.* Treasons against the King and Queen's Persons, Murders, &c. excepted; and also the Marquess of *Pemis*, the Lord Bishop of *Durham*, Lord *Jefferies*, &c.
- 2 W. & M. sess. 1. c. 10. This Act was made for a General and Free Pardon.
- 6 & 7 W. 3. c. 20. This Statute grants the Queen's most Gracious General and Free Pardon; Treason, &c. and Persons employed in the Service of the Pretender, &c. excepted.
- 7 Ann. c. 23. This Act was made for the King's most Gracious General and Free Pardon.
- 2 Geo. Persons pleading any Pardon for Felony, the Justices may remand them to Prison till they enter into a Recognizance with two sufficient Sureties for Good Behaviour for seven Years. 5 & 6 W. & M.

## Parliament and Privilege of Parliament.

**BY** this Act a Parliament is to be holden once a Year, and oftner, if it be necessary. And 36 E. 3. requires a Parliament to be held every Year. 4 E. 3. c. 14.

This Statute directs the Manner of electing Knights of Shires, &c. by the King's Writ. And the Returns of Sheriffs by Indenture annexed to the Writ. 7 H. 4. c. 15.

Persons elected Members of Parliament to be resident where chosen. 1 H. 5. c. 1.

Election of Knights of the Shire to be made by a Majority of Voices resident in the County, having 40 s. per Annum. Sheriff acting contrary to this Act, to forfeit 100 l. 8 H. 6. c. 7.

By this Statute Electors of Knights of the Shire are to have 40 s. Freehold, clear of Reprises. 10 H. 6. c. 2.

This Statute was made for assessing an Allowance for Members of Parliament. 23 H. 6. c. 11.

Sheriffs after the Receipt of the Writ to deliver Precepts to every Mayor and Bailiff of Cities, Boroughs, &c. commanding them to make Elections of Members, and Returns by Indenture between them and the Electors; Head Officers making a false Return to forfeit 40 l. to the King, and 40 l. to the Person chosen not returned. Sheriff not making due Return of electing Knights of the Shire, &c. to forfeit 100 l. 23 H. 6. c. 15.

No Knight of the Shire, Burges, &c. to depart from the Parliament without License from the Speaker and Commons assembled. 6 H. 8. c. 16.

The King's Royal Assent to Acts of Parliament by Letters Patent under the Great Seal, and signed by his Hand, to be of equal Force as if the King were present. 33 H. 8. c. 21.

Members of the House of Commons to take an Oath, &c. 5 Eliz. c. 1.

Persons in Execution delivered by Privilege of Parliament, may be prosecuted afresh, and new Execution obtained against them when that Privilege ceases. 1 Jac. 1. c. 13.

This



- 12 & 13  
Car. 2. c. 1. This Act declares that the Parliament begun *Anno 16*  
*Car. 1.* is dissolved, and that the Lords and Commons  
now sitting are the Parliament. Persons affirming that  
the Parliament begun 1640. is not dissolved, that the  
Houses of Parliament have a legislative Power without  
the King, &c. incur the Penalty of a *Præmunire*.
- 16 Car. 2.  
c. 1. The sitting and holding of Parliaments not to be dis-  
continued above three Years.
- 30 Car. 2.  
c. 1. Peers and Members of Parliament to take the Oaths be-  
fore they sit or vote in the House, or be adjudged Popish  
Recusants, and be disabled to hold any Office, to sit in  
Parliament, to make Proxies, to prosecute any Suit, &c.  
and to forfeit 500 *l.* This Statute is confirmed by 13 &  
14 W. 3.
- 1 W. & M.  
Sess. 1. c. 1. By this Statute the Lords and Commons convened at  
*Westminster* are declared the two Houses of Parliament,  
notwithstanding the want of any Writ of Summons or  
other Defect of Form, &c.
- 5 & 6 W.  
& M. c. 20. No Officer of Excise to make any Interest, or dissuade  
any from giving a Voice for Members of Parliament,  
under the Penalty of 100 *l.* and Disability, &c. Officers  
of the Post-Office, &c. the same Penalty.
- 6 W. & M.  
c. 2. This Statute enacts, That new Parliaments shall be  
chosen once in three Years, and no Parliament to con-  
tinue longer than three Years.
- 7 W. 3. c. 4. Candidates not to make Presents to, or treat, &c.  
Electors after the *Teste* of the Writ of Election; if they  
do, they are incapable to serve as Members.
- 7 & 8 W. 3.  
c. 7. False Returns of Members of Parliament incur double  
Damages. Contracts to procure Returns adjudged void,  
and the Person who makes such Contract, and gives any  
Reward for a false or double Return, shall forfeit 300 *l.*
- 7 & 8 W. 3.  
c. 25. Forty Days to be between the *Teste* and Return of the  
Writ of Summons to Parliament. Sheriff three Days af-  
ter Receipt of Writs to elect Members, to issue out Pre-  
cepts to Boroughs, &c. who are to proceed to Election in  
eight Days. The Sheriff to hold his County Court at  
the most publick and usual Place for Election of Knights  
of the Shire, to poll the Freeholders, make no unneces-  
sary Adjournments, deliver Copies of the Poll, &c. un-  
der the Penalty of 500 *l.* Trustees or Mortgagees not  
capable of voting, unless they are in actual Possession;  
and Conveyances to multiply Votes to be void. No Per-  
son under the Age of twenty one admitted to be elected  
a Member, or to vote.

Sheriffs

Sheriffs and other returning Officers to make their Returns in fourteen Days after the Election on pain of 500*l.* 10 & 11 *W.* 3. c. 7.

Actions may be prosecuted against Persons entitled to Privilege of Parliament, after Dissolution or Prorogation, until a new Parliament is called, or the same reassembled; and after Adjournment for above fourteen Days. Persons having Cause of Action against Lords of Parliament to have Process out of B. R. &c. by Summons, original Bill, &c. and leaving a Copy of the Bill with the Defendant, or at his House, for want of Appearance, Answer, &c. may sequester the Estate of the Peer; but not arrest the Body, or of a Member of Parliament, &c. The King's Debtor not to be privileged by Parliament. 12 *W.* 3. c. 3.

Actions prosecuted against any Officers of the Revenue, for Breach of Trust, &c. not to be staid by colour of Privilege, though such Officer, &c. be a Member of Parliament. But a Member of Parliament not subject to Arrest during the Time of Privilege, but Summons, Attachment, &c. to issue till the Party appear. 2 *Anna*, c. 16.

By this Statute no Person is qualified to be a Member of Parliament, who hath not an Estate of Freehold or Copyhold of 600 *l.* *per Annum* a Knight of the Shire; and 300 *l.* a Year a Citizen and Burgess, clear of all Incumbrances. But the eldest Son of a Peer, or of a Person qualified to be a Knight of the Shire, not incapable of being elected. Candidates to take an Oath of the Value of their Estates to qualify them. Refusing, Election to be void. 9 *Anna*, c. 5.

Persons in a collusive Manner making any Grants or Conveyances of Lands as a Qualification for Voters at Elections of Knights of the Shire to be taken as absolute against the Makers, and all Bonds, &c. for Redemption to be void. And Persons making the Conveyance, and voting by it, to forfeit 40 *l.* No Person to be an Elector who has not been assessed to the publick Taxes at 40 *s.* *per Annum*, and who has not received the Profits one Year, unless Lands by Descent, &c. Persons voting contrary to forfeit 40 *l.* Quakers admitted to vote, declaring the Effect of the Oath of Abjuration, &c. This Act not to extend to restrain Persons from voting for Knights of the Shire in respect to Tithes, Offices, &c. by reason the same have not been usually assessed to any publick Taxes. 10 *Anna*, c. 22. 12 *Anna*, c. 5.

By

1 Geo.

By this Statute the Continuance of Parliaments is enlarged to seven Years.

Parliament not dissolved by the Death of a King or Queen, &c.

See Crown, County-Courts, &c.

### Partition, &c.

14 H. 3.

**I**F Lands descend to several Coparceners, they shall all hold of the Chief Lord, and not one of the other.

31 H. 8. c. 1.

By this Statute Jointenants, &c. may be compelled to make Partition by Writ *de partitione facienda*, as Coparceners.

8 & 9 W. 3.  
c. 31.

This Statute enacts, That if after Process of *Pone* or Attachment returned upon a Writ of Partition, and Affidavit of Notice, &c. there be no Appearance entered in fifteen Days, the Demandant having entered his Declaration, the Court may give Judgment by Default, and award a Writ to make Partition, &c. But the Court may suspend or set aside the Judgment if the Party concerned move the Court in a Year, and shew good Matter in Bar.

4 & 5 Ann.  
c. 16.

One Jointenant may have an Action of Account against another.

7 Anne, c. 18

Coparceners, Jointenants, &c. seized of an Advowson to present by Turns.

### Patents.

1 H. 4. c. 6.

**T**HE King to advise with his Council touching Grants and Patents made of his Estate, &c. And in Petitions for Lands, Annuities, Offices, &c. the Value to be expressed, or the Letters Patent thereupon shall be void.

18 H. 6. c. 1.

Letters Patent which bear not the Date and Day of Delivery of the King's Warrants into Chancery to be void.



In Petitions for Grants for Reversions the first Patent being living, the former Patent to be express'd, &c. otherwise the last Grant shall be void. 6 H. 8. c. 15.

## Perjury.

Persons committing wilful Perjury to forfeit 20 l. 5 El. c. 9. suffer six Months Imprisonment, be disabled to give Evidence, and to be set on the Pillory, and have both their Ears nail'd. Suborning a Witness to give Testimony in any Court of Record concerning Lands or Goods, &c. to forfeit 40 l. and incur the other Punishments *supra*.

Quakers by their solemn Affirmation or Declaration corruptly affirming any Matter or Thing to be true, which is false, and would have been Perjury in others, to incur the Penalties of Perjury. 7 & 8 W. 3. c. 34.

## Physicians.

NONE to practise Physick in London, or within seven Miles, &c. without a License from the Bishop of London, or Dean of St. Paul's, who is to call to his Assistance four Doctors of Physick on Examination of the Persons before granted. Practising without License, 1. a Month Forfeiture. 3 H. 8. c. 11.

By this Act the King's Charter for incorporating the College of Physicians in London is confirmed. They are to chuse a President, and have perpetual Succession, a Common Seal, and Ability to purchase Lands, &c. Eight of the Chiefs of the College to be called Elects, who from amongst themselves are to chuse a President yearly. 14 & 15 H. 8.

Physicians are discharged from Parish-Offices, &c. Four Physicians to be chosen by the College to search Apothecaries Wares, and to have an Oath given them by the President for that Purpose. Refusing, &c. to forfeit 40 s. 32 H. 8. c. 40.

34 & 35  
H. 8. c. 8.

Persons having a Knowledge and Experience in Herbs, may practise and minister to outward Sores such Herbs, &c. and Drinks for the Stone, Strangury or Agues, without License.

### Piracy.

27 H. 8. c. 4.

**M**urder and Robbery, &c. committed by Pirates at Sea, to be heard and determined in any County of England by Commission, as if the Offence was committed on Land. The Commission to be directed to the Lord High Admiral, &c. This extends to Treasons, &c. by 28 H. 8.

11 & 12  
W. 3. c. 7.

Piracies, Felonies, &c. committed upon the Seas, or in any Haven, River, Creek, &c. where the Admiral has Jurisdiction, may be tried at Sea, or upon the Land, in any of his Majesty's Islands, Plantations, &c. abroad, appointed for that Purpose by Commission, and Commissioners may call a Court of Admiralty, and proceed according to the Course of the Admiralty, give Sentence, and award Execution. Natural-born Subjects of England committing Hostility by Commission of any Foreign Prince, adjudged Pirates. Combining to yield up a Ship to Pirates, or to lay violent Hands on the Commander, adjudged Piracy. Discoverer of a Combination entitled to a Reward of 10 l. for every Vessel of 200 Tons, and 15 l. if above. Persons setting out Pirates, concealing them, receiving Goods, &c. Accessories, and to suffer as Principals.

**Blague.**

## Plague.

**M**ayors, Bailiffs, Head Officers of Corporations, <sup>1 Jac. 1.</sup>  
Justices of Peace, &c. may tax Inhabitants towards <sup>c. 31.</sup>  
the Relief of Persons infected with the Plague; and Ju-  
stices may tax within five Miles round on a Parish's Ina-  
bility. The Tax to be levied by Distress, &c. Infected  
Persons going abroad may be resisted by Watchmen, &c.  
and punished as Vagrants, if they have no Sore; if  
they have Sores upon them. it is Felony. Justices of  
Peace to appoint Searchers, Examiners, Buriers, &c. and  
to administer Oaths, &c.

This Act was made for performing Quarentine by <sup>9 Anne, c. 2.</sup>  
Shipping, during the Infection in Foreign Parts. Masters  
of Ships coming on Shore during the Quarentine to for-  
feit the Ship, &c. Persons directed to take care of the  
Quarentine, permitting any to come on Shore, forfeit  
100 l.

## Plantations.

**T**HE Governors of the Plantations once a Year to <sup>22 & 23</sup>  
return to the Officers of the Customs in London, &c. <sup>Car. 2. c. 26.</sup>  
a List of Vessels laden with Sugars, Tobacco, Ginger,  
&c. which being unladen in any other Parts but *Great*  
*Britain*, to be forfeited, &c.

Goods to be imported and exported to and from the <sup>7 & 8 W. 3.</sup>  
Plantations in Ships built in *England* or *Ireland*, or the <sup>c. 21.</sup>  
said Plantations, and navigated with the Master and three  
fourths of the Mariners of the said Places, on pain of for-  
feiting Ship and Goods. Governors of the Plantations  
to take an Oath to do the utmost the Statutes require re-  
lating to the said Plantations. Naval Officers to give Se-  
curity to the Commissioners of the Customs in *England*,  
&c. And all Ships and Commanders subject to the same  
Rules, Searches and Penalties as Ships and Ladings, &c.  
in this Kingdom. All Places of Trust, &c. in the Plan-  
tations



tations to be in the Hands of the Natives of *England, Ireland, or the said Plantations.*

11 & 12

W. 3. c. 11.

*Governors, &c.* of Plantations oppressing his Majesty's Subjects in their Governments, the same to be enquired into and determined in *B. R.* or before such Commissioners, and in such County as his Majesty shall appoint.

### POOR.

43 El. c. 2.

**T**HE Churchwardens of every Parish, and two or three Householdholders to be nominated yearly in *Easter Week* by two Justices as Overseers of the Poor. Overseers to meet once a Month at the Church, to consider of Ways to relieve the Poor, &c. They may with the Consent of the Justices bind poor Boys Apprentice, erect Cottages for the Poor, &c. Justices of Peace to tax other Parishes for Relief, where a Parish not of Ability; Father, Grandfather, Mother and Children of such to be rated for Relief of their Families, &c. Overseers to yield a true Account to two Justices in four Days after the End of the Year, on pain of 20 s. Overseers not appointed, Justices to forfeit 5 l.

7 Jac. 1. c. 3.

Moneys given to place out poor Children Apprentice, to be under the Management of Corporations, Parsons, Vicars, &c. Persons receiving Money with such an Apprentice, to give Security to repay it at the End of the Term, &c. which is to be applied in placing forth others, and if none fit in the Parish, to be employed in the adjoining Parishes, &c.

3 Car. 1. c. 4.

Churchwardens and Overseers of the Poor, with the Assent of two Justices, may set up any Trade, &c. for the setting on Work, and better Relief of the Poor.

13 & 14

Car. 2. c. 12.

Persons coming to settle in a Parish, and renting a Tenement under 10 l. a Year, may be removed in forty Days. But Persons may go into another Parish to work by Certificate. One Corporation or Workhouse to be in the Towns and Places mentioned in the weekly Bills of Mortality, governed by Presidents, &c. each of which may purchase Lands to the Value of 3000 l. per Annum. The Presidents, &c. may apprehend Vagrants, sturdy Beggars, &c. and set them to work. Presidents wanting

a Stock, Justices may tax Inhabitants not exceeding a Year's Rate usually made for Relief of the Poor.

The Act 13 & 14 Car. 2. continued, except what relates to Corporations thereby constituted. 1 Jac. 2. c. 17.

The forty Days to make a Settlement by 13 & 14 Car. 2. to be accounted from the Publication of a Notice in Writing. Persons coming into a Parish, executing publick Offices, paying towards Taxes, and unmarried Servants having no Children hired for a Year, adjudged good Settlements; and being bound Apprentice, and inhabiting in a Town makes a Settlement. Books of Register of the Poor to be kept in every Parish, and every Easter Week to be examined, and a new List made, &c. and no other to receive Collection. Persons removed by Order of two Justices to be received by Churchwardens under the Penalty of 5 *l.* 3 & 4 W. & M. c. 11.

Poor Persons may remove to other Parishes by Certificate from the Churchwardens and Overseers, attested by two Witnesses, and subscribed by two Justices, owning them Parishioners at the Place from whence they remove, and agreeing when they become chargeable, &c. to receive them, &c. Poor receiving Relief to wear Badges on their right Shoulders. Persons refusing to receive poor Apprentices to forfeit 10 *l.* 8 & 9 W. 3. c. 30.

Persons coming into any Parish by Certificate shall not obtain a Settlement there without *bona fide* taking a Lease of a Tenement of 10 *l.* per Annum, or legally being placed in and executing some annual Office. 9 & 10 W. 3. c. 11.

The Act 13 & 14 Car. 2. &c. (except what relates to Corporations) made perpetual. And Apprentices or hired Servants to Persons coming into a Parish by Certificate, shall not gain a Settlement, unless the Master be first legally settled himself. 12 Ann. c. 18.

## Post-Office.

12 Car. 2.  
c. 35.

**T**HIS Act was made for erecting a General Post-Office. A Postmaster General, &c. to be appointed by the King's Letters Patent. The Rates for Letters to be 2 d. for a Letter of a Sheet, not exceeding eighty Miles; two Sheets 4 d. Packets 8 d. per Ounce. Above eighty Miles, 3 d. not exceeding a Sheet, &c. To Berwick 4 d. to Dublin 6 d. &c. The Postmaster General to continue constant Posts to all Places throughout the Post-Roads, under the Penalty of 5 l. for every Offence. Postmasters may take 3 d. a Mile for a Horse, and 4 d. the Guide every Stage.

15 Car. 2.  
c. 14.

The Profits of the Post-Office settled upon James Duke of York, and his Heirs Male. But the King to have the Nomination of the Postmaster General, which Office may be granted for Life.

1 Jac. 2.  
c. 12.

By Force of this Statute the King is seized of the Revenues of the Post-Office, as of an indefeasible Estate in Fee-simple.

1 W. & M.

This Statute was made for erecting a Post-Office in Scotland.

9 Ann. c. 10.

By this Statute the Post-Offices of England and Scotland are united; and the Price of Postage is increased to 3 d. for a single Letter from any Place not distant above eighty Miles from London; 6 d. for a double Letter, and so proportionably for Packets. Packets of Writs, Deeds, &c. 12 d. per Ounce. Single Letters above eighty Miles distant, 4 d. &c. Single Letters to and from Edinburgh, 6 d. &c. The Postmaster may erect cross Stages, keep Packet Boats, &c. No Person but the Postmaster or his Deputies to receive, take or carry Letters, or provide Post-Horses, set up any Foot-Post, &c. under the Penalty of 5 l. and 100 l. a Week for Continuance. Carriers, Stage-Coachmen, Boatmen, &c. not to carry Letters, except such as concern Goods sent by them. Money due for Postage of Letters not exceeding 5 l. to be recovered before Justices as small Tithes. Opening, delaying or detaining Letters, except by Warrant from a Secretary of State,



State, incurs a Penalty of 20 l. Not providing sufficient Post-Horses to forfeit 5 l.

### Præmunire.

**A** Præmunire is granted against such as sue in a Foreign Realm, or impeach there any Judgment given in any of the King's Courts. The Penalty is to be out of the King's Protection, to forfeit all Lands and Goods, and be imprisoned and ransomed at the King's Pleasure. And if the Offenders are not to be found, to be outlawed. Purchasing Bulls, &c. from Rome, or elsewhere, adjudged a Præmunire. 27 E. 3. c. 1. 16 R. 2. c. 5.

Persons maintaining the Jurisdiction of Rome in England, incur a Præmunire, &c. 5 El. c. 1.

See Bishop, Crown, &c.

### Prison, Prisoners and Priviledg'd Places.

**S**heriffs of Counties to have the keeping of the common Gaols, except such as are held by Inheritance; but the King's Bench and Marshalsea, are not in the keeping of any Sheriff. 19 H. 7. c. 10.

Justices of the Peace in Sessions may tax every Parish in the County, not exceeding 6 d. or 8 d. each yearly, towards the Relief of Prisoners. 14 El. c. 5.

Offenders to bear the Charges of their conveying to Gaol; or on Refusal their Goods to be sold for that Purpose by Vertue of a Justice's Warrant. If no Goods, a Tax to be made by the Constable, &c. on the Inhabitants of the Parish. 3 Jas. 1. c. 10.

Justices of Peace may provide a Stock for setting poor Prisoners on Work, so as no Parish be rated above 6 d. per Week. 19 Car. 2. c. 4.

N. 2

Prisoners

22 & 23  
Car. 2. c. 20. Prisoners confined for Debt, Damages, &c. making Oath that they have no Estate, Effects, Moneys, &c. to the Value of 10 l. to satisfy their Creditors, to be discharged; or the Creditors to maintain them in Prison, &c.

2 W. & M.  
c. 15. This Act revives 22 & 23 Car. 2. for the Benefit of poor Prisoners. But none to have the Benefit of the Act, who owe more than 100 l. principal Money, &c. And notwithstanding the Discharge of their Bodies, Judgments shall be good against their Lands and Goods. The Time of Commitment is limited by these Statutes.

7 & 8 W. 3.  
c. 12. This Act is to the same Purpose as 2 W. & M. only Prisoners released under forty Years of Age, are to list themselves in the Service during the War with France.

8 & 9 W. 3.  
c. 7. Prisoners in the King's Bench and Fleet on mesne Process, &c. to be actually detained within the said Prisons, or the Rules of the same, till discharged. Profits of the Marshal and Warden's Places liable to Sequestration for Payment of a Debt on Judgment for an Escape, besides the common Remedy. Keepers of Prisons taking Money to connive at Escapes to forfeit 5000 l. and their Offices. Prisoners in the King's Bench not to pay above 2 s. 6 d. per Week Chamber-Rent; Keeper taking more, to forfeit 20 l. Judgment may be signed against a Person in the Fleet, in a personal Action, entering a Declaration, and leaving a Copy with the Prisoner, after a Rule to plead to be out at eight Days.

1 Anne, c. 6. Persons committed or charged in Custody in the King's Bench or Fleet, going at large, upon Oath thereof in Writing before a Judge, an Escape-Warrant shall be granted directed to all Sheriffs, &c. throughout England, to retake the Person escaping, and commit him to the Common Gaol, there to remain till the Debt is satisfied. Prisoners may be taken on a Sunday on an Escape-Warrant.

A Prisoner in the Rules or out of the Rules instructing his Counsel, consulting his Creditors, &c. may not be taken up on an Escape-Warrant; but if he goes into the Country, or to Plays, Diversions, &c. he may.

1 Anne, c. 16. This Act was made agreeable to 22 & 23 Car. 2. 2 W. & M. &c. for the Discharge of poor Prisoners actually in Custody, and not within the Rules of the King's Bench or Fleet, 1 Jan 1701.

See Escapes.

Protection, see Debt to the King.

Prizes.

## Privateers and Prizes.

**D**URING the War with *France*, all Vessels with their 4 & 5 *W. & Ladings, &c.* taken or seized as Prize, were to be *M. c. 25.* brought into some Port, and put into the Possession of the Commissioners of Prizes, &c. and after adjudged Prize, to be sold by the said Commissioners, and the Product distributed as follows: If the Prize was taken by a private Man of War, four Parts to go to the Persons interested in the Privateer, and the fifth to his Majesty; and the Ship and Furniture to go to the Persons interested in the Privateer. Persons imbezilling any of the Goods taken as Prize to forfeit their Shares. Privateers, &c. destroying any *French* Man of War or Privateer, to receive for every Piece of Ordnance in the Ship taken 10 *l.* from the Commissioners of Prizes. Vessels taken in Ports, Havens, &c. adjudged a Perquisite of the Admiralty, and the Captors to have what shall be thought fit. *English* Vessels retaken after seized as Prize by the *French*, to be restored, paying an eighth Part of the Value, &c. for Salvage.

## Quakers.

**B**Y this Act Persons maintaining an Oath to be 13 & 14 unlawful, &c. Quakers to the Number of five or *Car. 2. c. 1.* more assembling in religious Worship not authorized by Law, were to forfeit for the first Offence 5 *l.* for the second 10 *l.* &c. But Quakers are exempted from the Penalties of this Act, by 1 *W. & M. c. 18.*

Quakers making and subscribing the Declaration of 7 & 8 *W. 3.* Fidelity mentioned in 1 *W. & M.* proving themselves *c. 27.*

Quakers, and owning King *William* to be right and lawful King, not liable to the Penalties of this Act against others refusing to take the Oaths. Not subscribing the Declaration of Fidelity, &c. Quakers are disabled to give any Vote at Election of Members of Parliament.



7 & 8 W. 3.  
c. 34.

Quakers, in Cases where an Oath is required, to make a solemn Affirmation or Declaration, declaring in the Presence of Almighty God the Witness of the Truth, &c. making a false Affirmation, subject to the Penalties of Perjury. Quakers refusing to pay Tithes (not exceeding 10s.) or to pay any Church Rates, two Justices may examine, determine and order the same to be levied, &c. Quakers not capable of Offices in the Government, to serve on Juries, or give Testimony in any criminal Cause.

### Quare Impedit.

13 E. 1. c. 5.

**T**HIS is made a Writ possessory for an Heir at full Age, Reversioner, Spiritual Person, &c. on an Usurpation in the Time of an Ancestor, &c.

52 H. 3. c. 12.

In a Plea of *Quare Impedit*, &c. Days shall be given from fifteen to fifteen, or from three Weeks to three Weeks, according to the Distance of Place. If the Disturber come not in on the great Distress, a Writ to be sent to the Bishop that he claim not to the Prejudice of the Plaintiff for that Time.

1 W. & M.  
c. 4.

On the Adjournment of *Hillary Term*, Anno 1688. no Part of the Time from the 10th of *December* to the 12th of *March*, accounted Part of the six Months, from the Time of Avoidance of the Church, in which a Person is bound to bring his *Quare Impedit* or *darrein Presentment*.

### Quod permittat.

23 E. 1. c. 14.

**A**S Common of Pasture may be recovered on a Writ of *Novel Disseisin* by a Parson, so Remedy is given for the Successor against the Disseisor or his Heir by *Quod permittat*.

*Quo Warranto*, see *Franchises*, *Bandamus*.

*Rape*.

**Rape.**

**R**avishing or taking away by Force any Maid with- 3 E. 1. c. 13.  
in Age, or either with or without her Consent; or  
any married Woman, Maid at full Age, or any other  
Woman against her Will, by this Act was punished by  
two Years Imprisonment and Fine.

But by this Statute if a Man ravish a Woman married, 13 E. 1. c. 34.  
Maid, or other, not consenting before nor after, he  
shall have Judgment of Life and Member. And if she  
consent after, the like Judgment, and the King to have  
the Suit.

The Ravisher and Ravished, where she consents after, 6 R. 2. c. 6.  
both disabled to challenge any Inheritance, Dower, &c.  
The Husband, Father, or next of Blood to have Appeal  
of Rape.

To know a Woman carnally under the Age of ten 18 E. 1. c. 7.  
Years, made Felony.

Rape excepted out of the General Pardon. 2 W. & M.

Penetration makes a Rape; and by the Common Law c. 10.  
it was punished by Loss of Eyes and privy Members.

**Recognizances and Statutes Merchant,  
Statutes Staple, &c.**

**T**HE Merchant is to cause the Debtor to come before 13 E. 1.  
the Mayor of London, York or Bristol, to acknow-  
ledge the Debt, &c. And the Recognizance to be en-  
tered in a Roll; afterwards a Bill obligatory is to be drawn  
with the Seal of the Debtor, and the King's Seal, in the  
Custody of the Mayor, &c. And if the Debtor fail in  
Payment, his Chattels, &c. to be seised and sold to satis-  
fie the Debt; if the Debtor have no Moveables in the  
Mayor's Jurisdiction, the Mayor to send the Recognizance  
to the Chancellor, who shall issue a Writ to the Sheriff  
to levy the Debt, &c. Appraisers valuing Goods too  
high, to take them at the Price.

- 13 E. 1. De Mercatoribus. If the Debt be not paid at the Day, the Mayor, &c. may cause the Debtor to be imprisoned till he agree the Debt; if he do not satisfie the same in a Quarter of a Year, his Lands and Goods to be delivered to the Merchant on a reasonable Extent, to hold till the Debt be levied. The Merchant may have Writs to all Sheriffs where he has Lands, on *Nem est inventus* returned, &c. Two Merchants to be chosen in London, and the Seal opened before them, one Piece whereof to be delivered to the Merchants, and the other to remain with the Clerk.
- 27 E. 3. c. 1. This Statute settles the Places for holding the Staple of Wool, &c. at the chief Cities, &c. and the Mayor of the Staple may take a Recognizance of Debt in the Presence of the Constables of the Staple. And there shall be a Seal remain with the Mayor, &c. And upon such Obligation, after Default of Payment, the Mayor may imprison the Debtor, arrest his Goods, and sell them to satisfie the Creditor. And if the Debtor be not found within the Staple, the Mayor to certifie the Obligation into the Chancery, from whence there shall issue a Writ against his Person, Lands and Goods, &c. as in case of Statute-Merchant.
- 36 E. 3. c. 7. Mayors and Constables of the Staple to have Conu-  
sance of Debts, Covenants, Contracts, &c. touching Merchandize.
- 14 & 15 R. 2. Officers of the Staple to be first sworn to the King, and then to the Staple. The Mayor of the Staple taking a Recognizance contrary to the Statute, to forfeit to the King half the Sum recognized.
- 11 H. 6. c. 10. Persons suing a *Scire Facias* in Chancery to defeat an Execution upon a Statute Staple, to find Surety both to the King and Recognizee to prosecute, &c.
- 23 H. 8. c. 6. The chief Justices of the King's Bench and Common Pleas, or the Mayor of the Staple at Westminster, out of the Term, and the Recorder of London, jointly to take Recognizances for the Payment of Debts; and the Recognizees to have such Process, Execution, &c. as upon Obligations of Statute Staple. The Mayor or Constable of the Staple taking Recognizances, except between Merchants of the Staple for Merchandize of the same Staple, to forfeit 40 l.

This



This Statute makes an Act 16 & 17 Car. 2. for preventing Delays in extending Statutes, Recognizances, &c. Car. 2. c. 2. perpetual.

No Recognizance shall bind Lands in the Hands of Purchasers *bona fide* for valuable Considerations, but from the Time of Inrollment, which is to be set down in the Margin of the Roll.

This Statute is made for preventing Frauds where Recognizances, &c. are entred; upon borrowing other Sums of Money from other Persons, by mortgaging Lands, &c. without giving Notice of the Recognizance, which forfeits the Equity of Redemption, &c. if the Recognizance be not paid off and vacated in six Months, &c.

4 & 5 W. & M. c. 16.

### Recusants.

Persons absenting from Church above a Month without a lawful Excuse, impugning the Queen's Authority, &c. to be committed till they conform and submit themselves. And if they do not conform in the space of three Months, they are to abjure the Realm in open Sessions. But Protestant Dissenters are exempted. Recusants not to travel above five Miles on pain of forfeiting their Goods, Lands, Annuities during Life, &c.

35 El. c. 1.

Convict Recusants not to come to Court, not to practise the Common Law, Civil Law, Physick, &c. or bear any Office, &c. under the Penalty of 100 l. Disabled to present to a Benefice, and to be Executor, Administrator, Guardian, &c. Reputed as excommunicate Persons, &c.

3 Jac. 1. c. 5.

Persons refusing to take the Oaths, liable to the Penalties of Popish Recusants, but taking the Oaths and subscribing the Declaration after Conviction, excused from Penalties.

1 W. & M. Sess. 1. c. 18.

Offices of Inheritance may be executed by Deputies taking the Oaths.

See more, Crown, Papists.

Register.

## Register.

2 *Annæ*, c. 4.

**T**HIS A& was made for the registering of all Deeds and Conveyances executed in the West Riding of Yorkshire. A publick Office to be kept for registering Memorials by a Register. The Register to be chosen by Freeholders having 100 *l.* per *Annum*. Wills to be registered in six Months after the Death of the Testator. This A& not to extend to Copyholds, Leases at a Rack-Rent, or twenty-one Years, &c.

5 *Annæ*, c. 18.

By this Statute Deeds of Bargain and Sale may be inroll'd before the Register in the West Riding of Yorkshire, and be as effectual as if inroll'd in the Courts at Westminster.

6 *Annæ*, c. 35.

A Memorial and Register of all Deeds, Conveyances, Wills, &c. to be made in the East Riding of Yorkshire. The Register to be sworn by the Justices in Quarter-Sessions. Every Leaf of the Register's Book to be signed by two Justices. No Judgment, Statute, &c. to bind Hereditaments, but from the Time a Memorial thereof shall be entred at the Register's Office. Deeds and Conveyances executed, to be void against subsequent Purchasers, unless registred before the Conveyance, under which such Purchasers claim.

7 *Annæ*, c. 20.

By this A& the like Register is required of Deeds and Lands, &c. in the County of *Middlesex*, as in *Yorkshire*; and the Clerk of the Inrollments in Chancery, Clerk of the Warrants in the Common Pleas, &c. are appointed Registers.

Religion.

Religion.

**N**O Person in Authority to execute Spiritual Jurisdiction has Power to adjudge any Matters of Religion to be Heresie but such as have been so adjudged by Canonical Scripture, by one or more of the general Councils, or shall be adjudged by the Parliament with the Assent of the Convocation. 1 El. c. 1.

Dissenters taking the Oaths and subscribing the Articles of Religion mentioned 13 Eliz. except the 34th, 35th, and 36th Articles, not subject to Penalties for assembling in Conventicles, &c. But the Preaching to be in publick Places, with Doors open, and not lock'd, bolted, &c. Justices of Peace may require Persons going to a Meeting to make and subscribe the Declaration, and take the Oaths or Declaration of Fidelity, and upon Refusal to commit them, &c. who shall be adjudged Popish Recusants Convict. Persons coming into a Church, Chapel or Congregation, and disturbing the same, or misusing the Teacher, on Conviction at the Quarter Sessions to forfeit 20 l. 1 W. & M. Sess. 1. c. 18.

Persons educated in the Christian Religion, who by Writing, Speaking, &c. deny any one of the Persons in the Holy Trinity to be God, or asserting there are more Gods than one, or denying the Christian Religion to be true, or the old and new Testament to be writ by Divine Authority, declared incapable of any Office or Employment. And on a second Conviction disabled to prosecute any Action, to be Executor, Guardian, &c. and suffer three Years Imprisonment. 9 & 10 W. 3. c. 32.

If any Person, who hath any Office Civil or Military, or any Salary, &c. from the Crown, is Magistrate of a Corporation, &c. who by 13 & 25 Car. 2. are obliged to receive the Sacrament, shall be present at any Conventicle at which there shall be ten Persons assembled, where the Royal Family shall not be prayed for in expresse Words, to forfeit 40 l. and be incapable to hold such Office, &c. but on conforming, &c. to the Church of England, a Person is rendred capable of the Grant of an Office or Employment. This Act not to make void any Office 12 Anne, c. 2.



Office of Inheritance, so as the Person substitutes a Deputy to execute, &c.

Schism in Seminaries, &c. See Bishops.

Replevin, see Distress.

### Residence of Clergy, Chaplains, &c.

21 H. 8. c. 13.

**D**Eans and Spiritual Persons promoted to Dignity in a Cathedral Church, &c. to be personally Resident upon the same, one Month together, and two Months at several Times in the Year, under the Penalty of 10 l. Every Spiritual Person of the King's Counsel may have Dispensation to keep three Benefices, and Chaplains of the King, Queen, Prince, &c. may keep two. An Archbishop and Duke may have each of them six Chaplains, a Marquess and Earl five, a Viscount and Bishop four; the Chancellor, every Baron, &c. three; every Dutchesse, Marchioness, &c. two; the Treasurer and Controller of the Household, the King's Secretary, Almoner, and Master of the Rolls two; and the Chief Justice one, and each may have License for two Benefices.

25 H. 8. c. 16.

Every Judge of the King's Bench, Common Pleas, the Chancellor, and Chief Baron of the Exchequer, and the King's Attorney and Solicitor General, may each of them have one Chaplain, Attendant on his Person, having one Benefice with Cure, who may be non-resident on the same.

33 H. 8. c. 28.

The Groom of the Stole, Treasurers of the King's Chamber, Chancellor of the Dutchy of Lancaster, may retain each one Chaplain.

Riots.

## Riots.

**S**heriffs and other the King's Officers to suppress Riots *27 E. 2. c. 8.*  
and imprison Riorers.

Justices of Peace with the Sheriff, or Under-Sheriff, by *13 H. 4. c. 7.*  
the Power of the County immediately to suppress Riots,  
arrest the Offenders, and record their Proceedings. But  
if the Rioters be dispersed, Inquiry is to be made in a  
Month, and Certificate made, &c. Justices of Peace  
neglecting their Duties to forfeit 100 l.

On Default of the Justices in enquiring, the King's *2 H. 5. c. 8.*  
Commission shall go out to enquire by sufficient Men of  
the County, at the Instance of the Party grieved. Hei-  
nous Rioters to suffer one Year's Imprisonment.

Upon a Bill of Complaint for any Riot preferred to *2 H. 5. c. 9.*  
the Lord Chancellor, testified under the Seals of two  
Justices of Peace, and the Sheriff of the County, the  
Lord Chancellor shall send forth a *Capias* to take the  
Parties, &c. but common Fame must run in the County  
of the same Riot, and be likewise testified before the  
*Capias* granted.

Where Riots are committed, the Sheriff upon a Pre. *19 H. 7. c. 13.*  
cept directed to him, shall return twenty-four Persons  
to enquire of the Riot, and certify the Inquiry and the  
Offence, &c.

Twelve Persons or more, riotously assembled, conti- *1 Geo. c. 6.*  
nuing together an Hour after Proclamation made by a  
Justice of Peace, Sheriff, Mayor, &c. to disperse, is  
Felony without Clergy.

**Robbery.**

## Robbery.

- 3 E. 1. c. 2. **A**LL Persons to be ready at the Summons of the Sheriff, and Cry of the County, to pursue and arrest Felons, Robbers, &c.
- 13 E. 1. c. 1. Immediately when Robberies and Felonies are committed, Hue and Cry to be made from Town to Town, and County to County, by Horsemen and Footmen to the Sea-side. The Constable, on the Person's being described, &c. is to call upon the Parishioners to assist him in the Pursuit, in his Precinct, and if the Offender be not there, to give Notice to the next Constable, who is to do the same as the first, &c.
- 7 R. 2. c. 6. By this Act the Statute of *Winchester*, 13 E. 1. is confirmed.
- 12 H. 8. c. 12. Where a Person is robb'd, the Justices of Goal-Delivery, &c. may award a Writ of Restitution for the Money or Goods taken on Conviction, as if the Felon were attainted at the Suit of the Party in Appeal.
- 27 El. c. 13. The Hundred not making Hue and Cry to answer half the Damages recoverable against the Hundred where the Robbery is committed. Where Damages are recovered against one or some few of the Inhabitants of the Hundred, and the rest refuse to contribute, two Justices may set a Tax, &c. The Person robb'd is with all speed to make the same known to the next Village, to make Oath and be examined before a Justice, &c. And no Hundred is chargeable where any one of the Malefactors is apprehended, or when the Action is not commenced in a Year. The Robbery to be committed during Day-light.
- 29 Car. 2. c. 7. Persons travelling on the Lord's Day, and are robb'd, the Hundred not chargeable; but Hue and Cry shall be made.
- 4 & 5 W. & M. c. 8. This Act gives the Reward of 40 l. for apprehending Robbers on the Highway; to be paid within a Month after Conviction. If a Person is kill'd, his Executors, &c. intitled to the 40 l. The Apprehenders to have likewise the Horses, Furniture, Arms, Money, &c. of the Robbers,



bers, saving the Right of others. An Offender impeaching two others, to have his Majesty's Pardon.

Rome, see Bishops.

## Russia Company.

ANY Person being a Subject of this Realm, may be admitted into the *Russia* Company, on Request to the Governor, &c. paying 5*l.* for his Admission. And no more than 5*l.* shall be taken for any Admission to the Fellowship thereof. Naval Stores imported from *Russia* to be accounted for to the Parliament. 10 & 11 W. 3. c. 6.

## Salt.

SALT to be sold by Weight after the Rate of fifty six Pound to the Bushel, under the Penalty of 5*l.* 9 & 10 W. 3. c. 6.

This Act imposes a Duty on Salt; Pits to be entered, &c. at the Salt-Office under the Penalty of 40*l.* Sixty five Pound of Rock Salt to be deemed a Bushel. 1 Anne, c. 21.

Salt shipp'd for *Ireland* perishing at Sea, or taken by Enemies, upon Proof in six Months, the Duty to be repaid, &c. 4 & 5 Ann. c. 12.

The Duties on Salt and Rock Salt continued, and granted for ever. 9 Anne, c. 21.

## Scandalum Magnatum.

THIS Action is brought by a Peer or Nobleman for Slander, who prosecutes as well for the King as himself. A Defendant may justify in *Scandalum Magnatum*, setting forth the special Matter. 25 H. 8.

Persons devising false News to be imprisoned. 11 R. 2. c. 11.

Slander of the Marriage of King *Henry VIII.* with *Anne Bullen* declared Treason.

Stabenger.

## Scavengers, Paving, &amp;c.

- 24 H. 8. c. 11. **T**HIS Statute was made for paving the Street between *Charing-Cross* and *Strand-Cross*, &c.
- 32 H. 8. c. 17. An Act for paving the Street from *Aldgate* to *White-chappel Church*, giving Power to the Mayor, Justices, &c. to hear and determine.
- 23 Eliz. c. 12. This Act was made for paving of the *Minories*, &c.
- 13 & 14 Car. 2. c. 2. By this Statute the Streets in and about *London* and *Westminster* were to be paved and kept clean, Hackney Coaches licensed, &c.
- 2 W. & M. S. 2. c. 2. All Persons within the weekly Bills of Mortality to sweep and cleanse their Streets, &c. every *Wednesday* and *Saturday*, on pain of 3 s. 4 d. Suffering Dirt to lie in Heaps before Houses to forfeit 5 s. Throwing noisom Things into Sewers, &c. 20 s. None to hoop Vessels, set any Dung, empty Coaches to mend, &c. in any Street, on pain of 20 s. Inhabitants to pave before their own Houses under the Penalty of 20 s. a Perch. In *Easter Week* yearly Scavengers to be elected, two Tradesmen in each Parish, by the Constable, Churchwardens, &c. Not taking upon them the Office to forfeit 10 l. Constables, Churchwardens, Inhabitants, &c. to settle a Tax, which is to be allowed by two Justices, and not to exceed 4 d. in the Pound. The Wheels of Carts, &c. not to be wrought with Iron-work, (but Scavengers are excepted) nor drawn with above two Horses, under the Penalty of 40 s. No Persons to keep Swine in Backsides, &c. of pav'd Streets,
- 1 Geo. c. 48. Scavengers may be appointed by the Quarter-Sessions for cleansing Streets, &c. in any Market-Town, and Assessments, &c. made, not exceeding 6 d. in the Pound.

Scotland.

## Scotland.

BY this Statute Authority is given to Commissioners <sup>1 Jac. 1.</sup>  
 chosen out of both Houses of Parliament, to treat <sup>c. 2.</sup>  
 with Commissioners of *Scotland* concerning an Union.

Twelve Persons to be nominated by the King as Com- <sup>19 Car. 2.</sup>  
 missioners to treat upon the Liberty of Trade, &c. and <sup>c. 13.</sup>  
 concerning an Union. <sup>22 C. 2. c. 9.</sup>

This Statute was made for settling Articles for the <sup>1 Ann. c. 14.</sup>  
 Union of *England* and *Scotland*. Commissioners to be ap-  
 pointed, &c.

By this Statute the Union was effected. The King- <sup>5 Anna, c. 8.</sup>  
 doms united to be called *Great Britain*, the Cross of St.  
*George* and St. *Andrew* to be conjoined. The united King-  
 dom to be represented by one Parliament. The Subjects  
 of either Kingdom to have Freedom of Trade, liable to  
 the same Customs, like Laws for publick Government,  
 &c. When 1197763 *l. 8 s. 4 d.* is raised in *England* on  
 a Land-Tax, *Scotland* to be charged with 48000 *l.* *Scot-*  
*land* to have an Equivalent for being charged toward's  
 Payment of the Debts of *England*, and not to be subject  
 to Duties before the Union. Sixteen Peers of *Scotland*  
 and forty-five Commoners to represent *Scotland* in the  
 Parliament. The sixteen Peers to be named by the Peers  
 of *Scotland*, and have all Privileges of Parliament as Peers  
 of *England*, &c. One Great Seal to be for the united  
 Kingdom, different from the Great Seal of either King-  
 dom. Kirk-Government of the Church confirmed, &c.  
 The Courts of Justice to remain the same as before the  
 Union, but subject to Regulation.

Peers of *Scotland*, &c. and all Officers Civil and Mili- <sup>6 Anna, c. 14.</sup>  
 tary, &c. in *Scotland*, to take the Oath of Abjuration,  
 &c. A Peer committing High Treason, Murder or Fe-  
 lony in *Scotland*, may be tried by Commission under the  
 Great Seal, constituting Justices to enquire, &c. in *Scot-*  
*land*.

By this Act a Court of Exchequer is erected in *Scotland*; <sup>6 Ann. c. 26.</sup>  
 as a Court of Record, Revenue and Judicature for ever.



- 7 Ann.c. 21. High Treason or Misprision of Treason in *England* to be so in *Scotland*; and the Queen may grant Commissions of Oyer and Terminer in *Scotland*, to determine such Treasons; but after the Decease of the Pretender, no Attainder of Treason shall disinheret any Heir, nor prejudice the Right of any Person, other than that of the Offender during his natural Life.
- 10 Ann.c. 12. The Presentation to Churches, and disposing of vacant Stipends to pious Uses, &c. in *Scotland*, confirmed in the Patrons. Episcopal Meetings to be held with their Doors not lock'd or bolted. Persons disturbing Congregations, misusing any Minister, &c. to forfeit 100*l.* on Conviction.
- 1 Geo. Persons having Lands in *Scotland*, guilty of High Treason by corresponding with, assisting, or remitting Money, &c. to the Pretender, on Conviction, their Vassals continuing in dutiful Allegiance, to hold the said Lands of his Majesty in Fee and Heritage for ever, where the Lands were so held of the Crown by the Offender.

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### Seamen.

- 18 E. 3 c. 3. **T**HE Sea to be open to all Merchants to pass with their Merchandize.
- 19 Car. 2. c. 7. The Treasurer, Controller, and Commissioners of the Navy, to punish Fighting or Quarrelling of Seamen, &c. by Fine and Imprisonment.
- 22 & 23 Car. 2. c. 23. Personating any Seaman, &c. to receive his Salary, Wages, &c. incurs a Penalty of double the Sum that would have been gained by Fraud, and the Offender to be imprisoned not exceeding a Year.
- 7 & 8 W. 3. c. 21. This Act was made for the registering of Seamen for the King's Service, to the Number of 30,000. Every Seaman registred to be allowed 40*s.* per Annum Bounty-Money, whether he be in Service or not, and besides his Pay. And on Disability of Service, &c. be admitted into *Greenwich* Hospital for Life.
- 2 Anne, c. 6. By this Statute poor Boys whose Parents are chargeable to the Parish, &c. to be placed out Apprentices to the Sea-Service till twenty-one Years of Age; 2*l.* 10*s.* to be given with each for Cloathing and Bedding. And Masters of Ships from thirty to fifty Tons to take one such Apprentice, one more for the next fifty Tons, and one

one more for every hundred Tons afterwards, under the Penalty of 10*l.* Ships in the Coal-Trade to have besides the Master, Mate and Carpenter, one Mariner to every hundred Ton.

Prisoners for Debt, &c. being able-bodied Seamen or 4 & 5 *Ann.* Landmen, to be discharged, and enter themselves in the *c.* 19. Service.

Every Seaman in the Service of the Crown, or any Subject, except of Hoys, Smacks, &c. belonging to *10 Ann. c. 17.* *London*, employed in bringing Corn, Fish or Provisions, to pay 6*d.* per Month to *Greenwich* Hospital. Masters of Ships to detain the 6*d.* per Month out of the Seamens Wages.

See Watermen.

### Sewers.

Commissions of Sewers to issue into all Parts of the Realm, where and when need shall require, directed to substantial Persons nominated by the Lord Chancellor. The Commissioners to make and ordain Laws, but not to continue longer in Force than their Commission, may decree Lands to be sold to levy the Charge assess'd upon Nonpayment, &c. Commissioners allowed 4*s.* a Day, and their Clerks 2*s.* *23 H. 8. c. 5.*

The Statute *23 H. 8. c. 5.* made perpetual; and every Commission of Sewers to endure five Years. *3 & 4 E. 6. c. 8.*

Commissions of Sewers to continue ten Years, unless repealed by a new Commission. All Laws, Ordinances, &c. of the Commissioners (without Certificate into the Chancery) to remain in Force till repealed, notwithstanding the Determination of the Commission. Clerks of Commissions to estreat Fines, Penalties, Forfeitures, &c. yearly into the Exchequer. *13 El. 6. 9.*

Justices of Peace in *Norfolk* to make an Order for the Repair of Sea-Banks, &c. And Persons chargeable as towards repairing the Highways. *27 El. c. 14.*

All Ditches, Banks, Sewers, Bridges, &c. within two Miles of *London*, and falling into the *Thames*, subject to the Commission of Sewers. *3 Jac. 1. c. 14.*

- 7 Ann. c. 10. Lord Mayor of London, &c. to appoint Persons who have the Power of Commissioners of Sewers in London. Commissioners of Sewers may levy Assessments, and decree Copyhold Lands from the Owners, on Nonpayment of any Lot or Charge, till the same is satisfied.

### Sheriffs.

- 9 E. 2. **S**heriffs to be assigned by the Chancellor, Treasurer, Barons of the Exchequer, and Justices, &c.
- 4 E. 3. c. 9. Sheriffs, &c. to have sufficient Lands where chosen, to answer the King, and his People.
- 14 E. 3. c. 7. No Sheriff shall continue in his Office above one Year. If Sheriffs let any Hundreds, Bailiwicks, &c. to farm, they shall let them at the ancient Farms, &c.
- 4 H. 4. c. 5. Sheriffs to be resident on Bailiwicks, and not to let them to farm.
- 1 H. 5. c. 4. No Under-Sheriff, &c. shall be Attorney in any of the King's Courts so long as he bears the Office.
- 4 H. 5. c. 2. Sheriffs to have Allowance upon their Accounts of Things casual, as of Estreats, &c. that be not in Farm.
- 23 H. 6. c. 8. Sheriffs acting contrary to 14 E. 3. c. 7. to forfeit 200 l. To let to Bail Persons upon reasonable Sureties, to take but 20 d. for an Arrest, the Bailiff 4 d. &c. To take no Bond of Persons arrested but for Appearance, &c. under the Penalty of 40 l.
- 12 E. 4. c. 1. Sheriffs executing Writs, &c. the 6th of November, commonly the Day of the Date of their Patent, shall not thereby incur the Penalty of 200 l.
- 34 H. 8. c. 16. By this Statute Sheriffs were to have Allowance on their Accounts for executing the King's Writs, levying Estreats, &c. Expences at the Assise, and the like, not exceeding 342 l. 6 s. 8 d. But this was repealed by 2 & 3 E. 6. c. 4. And where Sheriffs have no Tallies of Reward, they shall be allowed Expences on Petition, &c.
- 1 M. c. 28. No Sheriff to act as a Justice of Peace during his Shrievalty.
- 27 Eliz. c. 12. Under-Sheriffs, &c. to take the Oaths; entering upon their Office before they have taken the Oaths, to forfeit 40 l.

Sheriffs



Sheriff's Fee on an Extent or Execution, is 12 d. for 29 Eliz. c. 4. every Pound under 100 l. and 6 d. for every Pound above 100 l. Taking more to pay treble Damages, and forfeit 40 l.

A *Quietus* to be a sufficient Discharge for a Sheriff; 21 Jac. 1. c. 5. Officers sending out Writs contrary to this Statute to forfeit 40 l.

No Sheriff in Assise-time to keep a Table for the Entertainment of any but those of his own Retinue, nor to make any Present to a Judge; or have above forty Servants with Liveries, or under twenty, attending him at the Assises, under the Penalty of 200 l. This Act not to extend to Sheriffs of London and Middlesex. 13 & 14 Car. 2. c. 21.

The Act 13 & 14 Car. 2. made perpetual. Returns of Bailiffs to the Sheriff to be made by Indenture between them. 17 Jac. 2. c. 17.

Sheriffs not to take more than 1 s. in the Pound of the yearly Value of the Lands for executing a Writ of *Habere facias possessionem*, where the whole exceeds not 100 l. per Annum, and 6 d. if above. Sheriffs taking Poundage in a *Capias ad satisfaciendum* for a greater Sum than the real Debt, to forfeit treble Damages and 200 l. On the Decease of Sheriffs the Under-Sheriffs to act in their Names, till others appointed, and be answerable. 3 Geo.

Sheriffs Accounts not to be delayed in the Exchequer, &c. and 4000 l. yearly to be set apart at the Exchequer and allowed the Sheriffs of the several Counties, to help pass their Accounts, &c. In ancient Times Sheriffs were chosen by the People of the County.

See County-Court, Jurozs, &c.

## Ships and Shipping, the Navy Royal, &c.

BY this Statute none of the King's Subjects were to export and import Merchandize in any Ships but English, on pain of Forfeiture. 5 R. 2. c. 3.

But this Statute gave Power to Merchants to hire other Ships. 6 R. 2. c. 8.

Gascoign Wine, &c. not to be imported into this Realm otherwise than in English Vessels; but this was likewise altered by 32 H. 8. which allows those Wines to be imported in any other Ships. 4 H. 7. c. 10.

- 12 Car. 2.  
c. 18. Goods imported or exported out of any Territories belonging to the King in *Asia, Africa* or *America*, to be in Vessels belonging to the *English*, and the Master and three fourths of the Mariners to be also *English*, on pain to lose such Goods and the Vessel. No Alien shall be a Merchant or Factor in any of the said Places, &c. No Sugar, Tobacco, &c. of the Growth of the Plantations, to be transported to any Place other than to *England, Ireland* or *Wales*, on pain of Forfeiture, and the Ship and Furniture, &c.
- 13 Car. 2.  
c. 9. This Statute was made for the better Government of the King's Ships of War and Forces by Sea, and contains several Articles.
- 22 & 23  
Car. 2. c. 11. *English* Merchant Ships of 200 Tons mounted with 16 Guns, not to yield to Pirates without fighting; if they do, the Masters to be rendered incapable. And Mariners and inferior Officers refusing to fight, to lose their Wages, &c. Where Men are wounded in Defence of a Ship, the Admiralty to levy two *per Cent.* of the Ship and Goods for their Use, &c. Wilfully destroying a Ship, Felony.
- 17 Jac. 2. c. 18. This Statute grants a Duty of  $\$ 1.$  *per* Ton on all foreign-built Ships, one Moiety for the Chest at *Chatham*, and the other for *Greenwich* Hospital, to relieve decayed Seamen, &c.
- 5 & 6 W.  
& Af. c. 24. Ships built of three Decks, containing 450 Tons, and mounted with 32 Pieces of Ordnance; for the three first Voyages, the Owners to receive a tenth Part of the Tonnage and Poundage Duties payable for Merchandizes exported or imported on the said Ships.
- 9 & 10  
W. 3. c. 36. By this Statute 2000 Acres of Land in the *New-Forest* was ordained to be inclosed, for the Preservation of Timber for the Navy Royal.
- 9 & 10  
W. 3. c. 37. This Act appropriates the Sum of 570000 *l.* for the Building, Guns, Rigging, &c. of 27 Ships of War.
- 6 Anna, c. 13. Forty-three Ships of War to be employed as Cruisers; and if any Vessel be taken by any Ship of War or Privateer, and condemned as Prize, the Commander and other Officers, Seamen and others on Board, by this Act to have the sole Interest and Property.
- 6 Anna, c. 37. Lord Admiral or Commissioners of the Admiralty, during the War, to grant Commissions to Commanders of Ships for the taking and seizing Ships and Goods of Enemies. Persons serving on board Privateers, or retained

tained in Merchant Ships in any Part of *America*, not to be impress'd by any Ship of War under the Penalty of 20 *l*.

During the War any Ships may be navigated by Foreign Mariners. Foreigners serving on Board any *British* Ship for two Years, to be deemed natural-born Subjects, &c. 3 & 4 *Anna*, c. 13.

## Simony.

12 *Ann*. c. 12.

**I**F any Person accept of a Presentation or the next Avoidance of a Benefice for any Sum of Money, Gift, &c. the Presentation shall be void, and the King shall present.

See more, *Adhowsongs*,  
Snuff, see *Tobacco*.

## Soldiers.

**S**oldiers retained, departing from their Colours without Licence, is Felony. 18 H. 6.

No Officer, &c. to quarter or billet Soldiers upon any Persons without their Consent. 31 *Car*. 2. c. 1.

The first, an Act for punishing Mutiny and Desertion, &c. and the second gave Power to Justices to send Warrants for idle Persons, and deliver them to Officers to recruit the Army; and during the Wars 40 *s*. and 4 *l*. Advance Money was given to Soldiers voluntarily listing. 4 & 5 *W.*, & *M*. c. 13, 2 & 3 *Anna*, &c.

Making a false Muster to forfeit 100 *l*. Procuring a false Certificate to excuse a Soldier's Absence 50 *l*. Penalty. Persons permitting themselves to be falsely muster'd, to be committed; deemed listed Soldiers; and Horses lent forfeited. Paymasters, &c. detaining the Pay of Officers and Soldiers a Month, to forfeit 100 *l*. and their Places. Constables and Tithingmen, &c. to billet Soldiers on Persons keeping Inns, Livery-Stables, Alehouses, &c. Officers to give Notice to Innkeepers, &c. of receiving the Pay, and their Accounts to be paid before the Money distributed. Persons wandering, suspected to be Deserters, to be apprehended by Constables, &c. who shall receive 20 *s*. Reward. Officers and Soldiers killing Game, Poultry,



## A Second General TABLE

Poultry, &c. without Leave, to forfeit, the former 5*l*. the latter 10*s*. Officers obliging Waggon's to travel more than a Day, or forcing Saddle Horses, to forfeit 5*l*. 1*s*. per Mile to be paid for Carriages, and Persons not providing liable to a Penalty of 40*s*.

By an ancient Statute Justices of Peace have Power to tax Parishes for Relief of maimed Soldiers and Mariners; and to allow Pensions to Officers, &c.

## South-Sea Company.

9 Ann. c. 21. **F**OR paying the Debts of the Navy, &c. amounting to above 9000,000. Duties upon Wines, Vinegar, Tobacco, East India Goods, &c. granted to the Crown for ever, and the South-Sea Company erected. The Company to receive Interest at 6 per Cent. to be incorporated, and purchase Lands not exceeding 1000*l*. per Annum. Over and above the Interest, 8000*l*. a Year to be paid out of the Funds towards the Management of the Company. Guardians and Trustees may subscribe for Infants, Executors and Administrators, Mortgagees, &c. Members of the Company may be Members of Parliament, not liable to the Statutes of Bankrupt, &c. The Corporation to have the sole Trade from the River Orinoco on the East-side of America, to the Southermost Part of Terra del Fuego, &c. and from thence through the South Sea, &c. Others trading to the South Seas, to forfeit Ship and Goods, and double Value. The Company to be Owners of all Islands, Ports, &c. they can discover. The Crown may direct 20*s*. of every 100*l*. of the Capital Stock, to be applied for improving the Fishery of the Kingdom.

10 Ann. c. 19. Persons entitled to Capital Stock in the South-Sea Company, may by Warrant from the Treasury, borrow Money upon the Credit of the Stock, and allow Interest not exceeding 6 per Cent. &c.

10 Ann. c. 30. This Act gives Power to the Parliament to redeem the Funds on Payment of the principal Money and Arrears, &c. but the Corporation to continue for ever, &c.

1 Geo. This Statute was made for enlarging the Capital Stock of the South-Sea Company, and for raising further Money

neys for Purchase of Annuities after the Rate of 5 l. per Cent.

By this Act the Fund of the South-Sea Company at 6 3 Gro. per Cent. is redeemed, and a Fund settled on the said Company, after the Rate of 5 l. per Cent. &c.

Staple, see Recognizances.

## Starch-powder.

**S**TARCH-powder made for Hair-powder, not to have a Mixture of Alabaster, Lime, &c. on pain of Forfeiture, and the Sum of 50 l. Barbers, &c. selling, &c. such Powder, to forfeit 20 l. Stat. 10 Anne.

Subpoena, see Amendments.

## Suits.

**P**OOOR Persons having Cause of Action or Suits, shall have original Writs, &c. *Gratis*, and Counsel and Attorneys assigned without taking Fees. 11 H. 7. c. 12.

This Statute ascertains the Time for Prosecution of all manner of Suits. See Actions. 21 Jac. 1. c. 16.

This Statute was made for indemnifying Persons from vexatious Suits, who acted as Lieutenants, Deputy-Lieutenants, Justices of Peace, &c. not authorized, at the bringing in of King William. 1 W. & M. c. 8.

In all Suits upon Writs of *Scire Facias*, and upon Prohibitions, the Plaintiff obtaining Judgment, or Award of Execution after the Plea pleaded, &c. shall recover his Costs; and if the Plaintiff become Nonsuit, or a Verdict pass against him, &c. the Defendant shall have Costs and Execution for the same. 8 & 9 W. 3. c. 11.

Merchants, Traders, &c. desiring to end any Suit, Controversy, &c. for which there is no other Remedy but by personal Action or Suit in Equity, may agree that their Submission of the Suit to the Award of Arbitrators, shall be made a Rule of Court. See Affidavit. 9 & 10 W. 3. c. 15.

See more of Suits, Actions, Amendments, &c.

Sunday.

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### Sunday.

- 1 *Car. I. c. 1.* **P**ersons wrestling, bowling, &c. on a Sunday, to forfeit 5 s. and using Bear-baiting, Bull-baiting, &c. 3 s. 4 d. or be set in the Stocks three Hours.
- 3 *Car. I. c. 1.* Butchers killing or selling Meat on a Sunday to forfeit 6 s. 8 d. and Carriers, Drovers, &c. travelling on a Sunday are liable to a Penalty of 20 s. And Persons using Boats on that Day, without License from a Justice, to forfeit 5 s.
- 29 *Car. 2. c. 7.* Persons doing any worldly Labour on a Sunday (except Works of Necessity) forfeit 5 s. Crying or exposing to Sale any Wares but Milk in the Morning and Evening, forfeit the Wares to the Poor. Processes not to be served on a Sunday (except in Cases of Treason, Felony, &c.) it will be false Imprisonment, and the Service void,
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### Swearing and Cursing.

- 21 *Jac. 1. c. 20.* **B**y this Statute if any Person swear or curse, he shall forfeit 1 s. for every Offence, or be set in the Stocks three Hours; unless he be under twelve Years of Age, when he is to be whipp'd.
- 6 & 7 *W. 3. c. 11.* Persons prophanely swearing in the Hearing of a Justice, or convicted by one Witness, &c. to forfeit 1 s. for every Offence, if a Servant, Labourer, Soldier, &c. and 2 s. every other Person; for the second Offence double, the third treble, or be set in the Stocks, if above sixteen Years old, if under, to be whipp'd. Justices of Peace neglecting to put the Act in Execution to forfeit 5 l.

Tares.



## Taxes.

**N**O Aid or Tax to be levied without the Assent of the 25 E. 1. c. 1.  
Lords and Commons in Parliament.

This Statute ordains that People are to be tax'd after 1 E. 3. c. 6.  
the ancient Manner.

No Imposition or Charge to be put upon Wool, &c. 11 R. 2. c. 9.  
other than the Customs, &c.

Subjects not to be tax'd towards any Charge call'd a 1 R. 3. c. 2.  
Benevolence, or any such like Imposition; and such  
Charge heretofore not to be any Precedent for the fu-  
ture.

This Act declares the late Proceedings touching Ship. 16 & 17  
Money, unlawful and void. Car. 1. c. 14.

An Act for a free and voluntary Present to his Maje. 13 Car. 2.  
sty; but declared that no Aids can be levied but by Au. c. 4.  
thority of Parliament, and this Supply not to be drawn  
into Example.

An Aid granted to the King on French and East-India 1 Jac. 2. c. 1.  
Goods, &c.

An Act for granting an Aid to their Majesties of 1 W. & M.  
68820 l. per Month for six Months. A Twelve-penny Jeff. 1. c. 3.  
Poll-Tax was likewise granted, &c.

This Act granted an Act of 1 s. per Pound on Lands, 1 W. & M.  
&c. for one Year, for the Defence of the Realm. Their Jeff. 1. c. 20.  
Majesties to appoint Commissioners, &c.

This Act was made for granting an Aid of 2 s. in the 1 W. & M.  
Pound for one Year. Jeff. 2. c. 1.

An Act for raising Money by a Poll for reducing of 2 W. & M.  
Ireland, &c. Jeff. 1. c. 2.

This Act grants to their Majesties an Aid of 1,651,702 l. 2 W. & M.  
18 s. for one Year. Jeff. 2. c. 1.

The same continued. 3 & 4 W.

An Act for granting an Aid of 4 s. in the Pound on & M. c. 5.  
Lands, &c. for one Year, for carrying on the War a- 4 W. & M.  
gainst France. c. 1.

The preceding Act continued. 5 W. & M.

An Act for raising Money by a Poll, to be executed by c. 1.  
the Commissioners of the 4 s. Aid, 5 & 6 W.  
& M. c. 14.

This

- 5 & 6 W. This Statute grants a Stamp-Duty on Parchment, Paper, &c. per, &c.  
 6 W. 3. c. 3. An Act for granting an Aid of 4 s. in the Pound for one Year.  
 6 & 7 W. 3. This Statute impos'd a Tax on Burials, Births, Marriages and Batchelors. See Burials.  
 6 & 7 W. 3. This Act grants a Duty on Glass, Stone and Earth  
 c. 18. Bottles, &c.  
 7 W. 3. c. 5. An Act for granting 4 s. in the Pound on Lands, &c. for one Year.  
 7 & 8 W. 3. This Act grants a Duty on Windows. Continued for  
 c. 18. ever by 5 Anna.  
 8 W. 3. c. 6. An Act for granting to his Majesty an Aid by a Land-Tax of 3 s. in the Pound.  
 8 & 9 W. 3. This Statute lays a Tax on Leather.  
 c. 21. An Act for granting 1,484,015 l. for one Year, to be  
 9 & 10 W. 3. levied on the several Cities, Towns, Counties, &c. in  
 c. 10. the Act mentioned.  
 9 & 10 W. 3. This Act grants additional Stamp-Duties on Parchment, Paper, &c.  
 c. 25.  
 10 & 11 Acts for granting 4 s. in the Pound for one  
 & 11 & 12 Year.  
 W. 3.  
 1, 2, 3, 4, All Acts for granting 4 s. in the Pound on  
 5 & 6 Ann. Lands.  
 7, 8, 9 & The like for those Years.  
 10 Anna.  
 11 & 12 These two Acts granted 2 s. in the Pound on personal  
 Anna. Estates in *England* and *Scotland*.  
 1 & 2 Geo. By these Statutes an Aid was granted by a Land-Tax  
 at 2 s. in the Pound.  
 3 & 4 Geo. These Acts grant 3 s. in the Pound on Lands in those  
 Years.  
 The Statute 10 Anna, c. 19. grants a Duty on Cards.  
 And for the Tax on Candles, Soap, &c. see Customs.

Term adjourn'd, see Judicial Proceedings.

Tithes.

## Tithes.

**F**OR Tithes, Oblations, Mortuaries, &c. when they are propounded under those Names, the King's Prohibition shall not take Place; but for Tithes lodg'd in a Barn, and sold for Money, if the same be demanded before a Spiritual Judge, for this a Prohibition lieth; for by the Sale they are made Temporal. 9 E. 2. c. 1.

No *Scire Facias* shall be awarded to warn a Clerk to answer for his Tithes before a secular Judge. 18 E. 3. c. 7.

On Complaint to two Justices of Peace by a Judge of the Ecclesiastical Court, they may commit a Defendant in a Suit depending for Tithes, for Contumacy, &c. 27 H. 8. c. 10.

Tithes, &c. belong to the Presentee towards Payment of the First-Fruits. An Incumbent may make his Will of Grain sown upon the Glebe. 28 H. 8. c. 11.

All Persons duly to set forth and pay Tithes, and if they are not set out and paid, the Party grieved may convene those as detain them before the Ecclesiastical Judge, who has Power to hear and determine; and to adjudge Costs on an Appeal. Persons refusing Payment after Sentence to be committed by two Justices on Certificate from the Judge. 32 H. 8. c. 7.

None to carry away Tithes before he has justly divided and set forth the Tenth-part, or agreed for the same with the Parson or other Proprietor, on pain of treble Value. Barren Heath and waste Ground improved to pay Tithes after seven Years. Suits for subtracting or withdrawing of Tithes to be prosecuted in the Ecclesiastical Court, the Judge whereof may excommunicate Persons disobeying the Sentence. Persons exercising Merchandize, &c. to pay personal Tithes, the Tenth-part of clear Gains, &c. and Offerings to be paid, &c. as heretofore. 2 & 3 E. 6. c. 13.

Compositions for Tithes to be made by the concurrent Consent of the Parson, Patron and Ordinary. 13 Eliz. c. 10.

Persons sowing Hemp or Flax shall pay to every Parson, Vicar, &c. 4 s. per Acre for Tithes. 3 W. & M. c. 3.

Persons



- 7 & 8 W. 3. c. 6. Persons substracting or withdrawing, or failing in the Payment of small Tithes under 40 s. on Complaint, two Justices may summon them to appear, and examine and determine the Complaint, and under Hand and Seal adjudge the same, and give Costs not exceeding 10 s. Neglecting to pay the Sum adjudged, to be levied by Distress of Goods, &c. which may be sold in three Days. Complaint to be made in two Years; and Persons aggrieved by the Judgment of the two Justices, may appeal to the Quarter-Sessions.
- 7 & 8 W. 3. c. 34. Quakers refusing to pay or compound for great or small Tithes, or to pay Church Rates, the two next Justices may upon Complaint convene them before them, examine upon Oath, ascertain what is due to the Parties complaining, and order Payment not exceeding 10 l. On Refusal of Payment to be levied by Distress, &c.
- 3 & 4 Ann. c. 18. The Act 7 & 8 W. 3. is made perpetual by this Statute.

## Tobacco.

- 12 Car. 2. c. 34. **N**ONE shall plant Tobacco in *England, Wales, &c.* on pain to forfeit 40 s. for every Rod of Ground planted. But this Act not to hinder planting Tobacco in Physick-Gardens.
- 17 Car. 2. c. 7. By this Act the Penalty is increased to 10 l. for every Rod of Ground planted with Tobacco in *England*.
- 22 & 23 Car. 2. c. 26. Justices of Peace to issue Warrants to Constables, &c. to search for Tobacco sown, planted, or made, and destroy the same. Not destroying it to forfeit 5 s. for every Rod of Ground. Persons resisting the Constable to forfeit 5 l.
- 4 & 5 W. & M. c. 24. This Statute continues the 22 & 23 Car. 2. c. 7. Persons cutting Walnut-tree Leaves, Hop-Leaves, &c. or colouring them, to make them resemble Tobacco, or selling the same mix'd with Tobacco, to forfeit 5 s. for every Pound.
- 1 Geo. 6. c. 46. Mixing or colouring Snuff with Oker, Umber, or with Fustick or yellow Ebony, &c. or Dust, Sand, Tobacco-Dust, to forfeit 3 l. for every Pound-weight, &c.

## Trade.

BY this Statute all the King's Subjects were to have 3 Jac. 1. c. 6.  
a free Trade with *France, Spain, &c.*

All Persons residing in *England* may trade to and from 25 Car. 2.  
*Greenland* to take Whales, &c. c. 7.

This Statute prohibits all Trade with *France* (during 1 W. & M.  
the War) and importing Goods declared a common Nu- sess. 1. c. 34.  
sance, and the Commodities may be seized and burnt.  
The Vessels with their Furniture, &c. to be forfeited;  
and the Importer, and Persons in whose Custody Goods  
are found, to forfeit the full Value; and for the second  
Offence double, &c. Landing Goods, or assisting, &c.  
incurs a Penalty of 500 l.

This Statute continues the preceding, and regulates 4 & 5 W.  
the Business of Prizes taken from the Enemy, &c. See & M. c. 25.  
Prizes.

Iron, Copper, &c. may be exported, except to *France*, 5 & 6 W.  
during the War. & M. c. 17.

By this Statute Watches, Sword-Hilts, wrought Plate, 9 & 10 W. 3.  
and other Silver Manufactures made within this Kingdom c. 28.  
may be exported in Trade. Watches, &c. to have the  
Makers Names, &c. on pain of 20 l.

No Foreign Silks known by the Name of Alamodes or 9 & 10 W. 3.  
Lustrings to be imported in this Kingdom, but at the c. 43.  
Port of *London* only. Counterfeiting the Custom-house  
Marks or Seals for Alamodes, &c. to forfeit 500 l.

Persons trading to *Newfoundland* to have Freedom of 10 & 11  
Fishing, &c. Every Fishing-Ship as shall first enter any W. 3. c. 25.  
Harbour or Creek in *Newfoundland*, shall be Admiral of  
the said Harbour for that Season; and such Admirals to  
determine Differences between the Masters of Fishing-  
ships and the Inhabitants there, &c.

The Company trading to the *Indies* to give Security 6 Ann. c. 3.  
for their bringing Goods laden without breaking Bulk to  
*Great Britain*, the Dangers of the Seas, Enemies, &c. ex-  
cepted, 2500 l. for every 100 Ton.

The

- 9 *Annæ, c. 8.* The Prohibition of Trade to *France*, as far as it relates to *French Wines*, repeal'd; and *French Wines* may be imported in any Ships of 70 Tons Burthen, paying the Duties, and importing them directly from *France* to *Ireland*, and from thence to *England*. The Ships to take on Board here *English Goods* to the Value of the Wines, &c.

See Merchants; Shipping, &c.

### Treason.

- 25 *E. 3. c. 2.* **T**O compass or imagine the Death of the King, Queen or Prince, or to violate the Queen, the King's eldest Daughter, or the Prince's Wife; to levy War against the King, adhere to his Enemies, to counterfeit the King's Seal or Money, or bring into the Realm counterfeit Money, &c. declared High Treason. A Servant killing his Master, a Wife her Husband, a Priest his Prelate, is Petty Treason.
- 26 *H. 8. c. 13.* Treason committed out of the Realm to be enquired of in such County, and before such Persons as the King shall appoint. And Offenders convicted, to forfeit to the King all Lands; Tenements and Hereditaments in the King's Dominions at the Time of the Treason committed.
- 35 *H. 8. c. 2.* This Statute requires that Treasons committed out of the Realm shall be tried in B. R. by lawful Men, as if the Offence had been committed in the County of *Middlesex*.
- 1 *E. 6. c. 12.* This Statute enacted, That to affirm the King is not Supreme Head of the Church, or to interrupt any Person to whom the Crown is limited, endeavour to depose the King, affirm by Writing the King is an Usurper, Tyrant, &c. should be Treason. But these are repeal'd by 1 *M.*
- 5 & 6 *E. 6. c. 11.* Treason committed out of the Realm to be tried in such County as the King shall think fit, &c. And all Process, &c. to be good in Law as if the Offender were Resident in that County. The Party within one Year after Outlawry or Judgment may surrender himself to the Chief Justice of *England*; and traverse the Indictment, &c. None to be attainted of Treason but by the Testimony of two lawful Witnesses, who shall be brought before



fore the Party. The Wife to lose her Dower, where the Husband is attainted of Treason, so long as the Attainder continues.

To counterfeit Foreign Coin made current, or the Signet Manual, Privy Seal, &c. adjudged High Treason. 1 M. Sess. 2. c. 6.

Trial of Treason to be according to the Course of the Common Law; Concealment of High Treason declared Misprision of Treason. & 2 P. & M. c. 10.

Clipping, Washing, Filing, &c. of Money, the Coins of these Realms, or current here, adjudged High Treason; but no Corruption of Blood, nor Forfeiture of Dower. 5 Eliz. c. 11.

Impairing, diminishing, lightening, &c. of Money for Lucre-sake, made Treason, and the Offenders, Accessories, &c. to suffer Death, and forfeit Goods and Chattels, and Lands during Life. 18 Eliz. c. 1.

Intending Death or bodily Harm, maiming, wounding, or a Restraint of the King's Person; or to depose him, or levy War against him, or incite an Invasion; and such Intentions declared by Printing, Writing or speaking, the Offenders adjudged Traitors. 13 Car. 2. c. 1.

Persons sending any Arms, Powder, Masts, Cordage, &c. to France during the War, declared Traitors. Persons embarking for France without their Majesty's License, guilty of High Treason. 3 & 4 W. & M. c. 13.

Persons indicted for High Treason, where Corruption of Blood may be made, are to have a Copy of the Indictment five Days before they are tried, to advise with Counsel, &c. and shall be admitted to make a full Defence by Counsel learned in the Law, make any Proof by lawful Witnesses, &c. The Indictment to be found in three Years after the Offence committed, except it be for any Attempt on the King's Person. 7 W. 3. c. 3.

All Persons who voluntarily went into France without License during the War, or have born Arms under the French King, or King James, and return without License, adjudged guilty of Treason. Holding Correspondence with, remitting Money to, or accepting any Charter, Pardon or Grant from the late King James, declared High Treason. 9 W. 3. c. 1.

This Act was made for the Attainder of the Pretender, of High Treason; corresponding with him, paying Money for his Use, &c. declared High Treason. 13 W. 3. c. 3.

- 1 *Anna*, c. 2. Endeavouring to set aside the Succession after her Majesty made High Treason.
- 4 *Anna*, c. 3. Affirming by Writing or Printing, that the Queen is not lawful and rightful Queen, that any other Person hath Right to the Crown, otherwise than according to 1 *W. & M. &c.* adjudged High Treason.
- 1 *Geo.* c. 3. Persons guilty of High Treason may be tried before such Commissioners of Oyer and Terminer, and in such Counties as the King shall think fit, by lawful Men of the same County, as if the Fact had been there committed. This Act was made on the Rebellion, and only extends to Persons in Arms, &c.

See Attainder, Coin, Crown, Evidence,

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### Trespass.

- 6 *E. 1. c.* 8. NO Person to have Writs of Trespass before Justices, unless he make Oath that the Goods taken away were worth 40 s. &c.
- 21 *Jas.* 1. c. 16. In Actions of Trespass, &c. where the Trespass is by Negligence, or involuntary, the Defendant shall be admitted to plead a Disclaimer, &c. and to offer sufficient Amends, &c.
- 23 *Car.* 2. c. 9. In Trespass, if the Jury give not 40 s. Damages, the Plaintiff shall have no more Costs than Damages.
- 8 & 9 *W.* 3. c. 11. Plaintiff to recover Damages and full Costs of Suit, where a Trespass is wilful and malicious.
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### Vagrants.

- 21 *Jas.* 1. c. 28. A Justice of Peace may cause Vagrants to be whipp'd, if found begging, wandering or misordering themselves.
- 13 & 14 *Car.* 2. c. 12. This Statute orders a Tax to be made for reimbursing Charges of conveying Vagrants to the House of Correction, &c.

This

This Statute directs the passing of Vagrants by Justices, 11 & 12  
 &c. and an Allowance to be made for it at the Quarter-  
 Sessions, &c. W. 3. c. 18.

Wandering Patent Gatherers, Pencers, Players of In- 12 Ann. c. 13.  
 terludes, Jugglers, Fortune-tellers, Persons leaving their  
 Families, &c. adjudged Vagrants. Two Shillings to be  
 paid as a Reward for apprehending Vagrants, &c. Not ap-  
 prehending to forfeit 10 s. Constables to make Privy  
 Searches before the Quarter-Sessions. Persons appre-  
 hended to be brought before a Justice, examined, and  
 pass'd to the Place of Birth, &c. Refusing to be exa-  
 mined, &c. adjudged incorrigible Rogues. The Justice  
 to give the Constable a Certificate, ascertaining how the  
 Vagrant is to be conveyed, &c. The next Constable to  
 cause the Vagrant to be whipp'd, &c. and convey him  
 to the next County by a new Certificate, &c. Justices  
 to appoint Rates for passing Vagrants at so much a Mile.  
 Vagrants brought from Ireland, &c. to be reconveyed,  
 &c. Those who have begg'd two Years, &c. to be sent  
 to the Plantations for Seven Years. Constables to re-  
 move idle Persons, blind, lame, &c. begging in Streets,  
 and to whip them. Furious Lunatics wandering to be  
 apprehended and pass'd as Vagrants, &c.

### View on Actions.

**V**IEW of Land not to be granted but where it is 13 E. 1. c. 48.  
 necessary.

View shall be granted in a Writ of Advowson of a  
 Church, in a Writ of Customs and Services, &c. And 12 E. 2.  
 by 4 & 5 Anna, c. 16. may be had in a personal Action.

### Voucher.

**I**N a Writ of Entry in the Degrees, none to vouch out  
 of the Line. In Writs of Right and Possession a good 3 E. 1. c. 40.  
 Counterplea, that neither the Vouchee nor his Ancestors  
 had ever Seisin of the Land, &c.



13 E. 1. c. 6. Where a Vouchee dischargeth himself of the Warranty, or denieth his Warranty, and it is tried against him, he shall lose his Land.

14 E. 3. c. 18. The Demandant may averr a Voucher to be dead, where the Tenant voucheth a Person deceased to Warranty.

### Use.

1 R. 3. c. 1. **A**LL Grants, Conveyances, Recoveries, &c. made by *Cestuy que use* being of full Age, &c. to be good against the Makers and their Heirs, &c.

3 H. 7. c. 4. Deeds of Gift of Goods and Chattels made in Trust for the Use of the Grantor, to be void.

27 H. 8. c. 10. Persons standing seised of any Manors, Lands, Tenements, Rents, Reversions, &c. to the Use of others, to be adjudged in lawful Seisin, Possession, &c. and the Estate, Right, &c. to be in them. Where an Estate is made to a Husband and Wife, and the Heirs of their two Bodies, &c. or for the Wife's Life, &c. for her Jointure, the Wife shall not have Dower, unless the Jointure be made after Marriage, when she may refuse it, and take her Dower after her Husband's Death.

Usury, see Interest of Money.

### Wagers.

7 Ann. c. 17. **B**Y this Statute all Wagers laid upon a Contingency relating to the War, and all Securities, &c. to be void, and Persons concerned to forfeit double the Sums laid, &c.

Wales.

**Wales.**

**L**ords of the Marches of *Wales* perpetually annexed to 28 E. 3. c. 2.  
the Crown of *England*, and not the Principality of  
*Wales*.

All Persons in *Wales* upon Warning to appear in pro- 26 H. 8. c. 6.  
per Person at Courts held, and do Suit and Service,  
on pain of Fines and Amerciaments. But none to come  
arm'd in Affray of the Peace, &c.

All the King's Subjects may pass freely on Horseback 27 H. 8. c. 7.  
or on Foot, and with Cattle, Wares, &c. through all  
the Forests of *Wales* without paying any Exactions, &c.

By this Statute *Wales* is incorporated and united with 27 H. 8. c. 26.  
*England*, and all Persons born there to enjoy all Liberties  
as those born in *England*; and Lands to descend there ac-  
cording to the *English* Laws. The Laws of *England* to  
be executed in *Wales*. The King to appoint Sheriffs of  
Counties, and to have a Chancery and Exchequer at  
*Brecknock* and *Denbigh*. Officers of Law and Ministers to  
keep Courts, &c. in the *English* Tongue. *Welsh* Laws  
and Customs to be enquired into by Commission, and  
such of them as shall be thought fit, continued. The  
Laws and Customs of the three Counties of *North Wales*,  
and of the County Palatine of *Lancaster* are saved.

*Wales* to be divided into twelve Counties; a President 34 & 35  
and Council to remain in *Wales* and the Marches thereof H. 8. c. 26.  
with Officers, &c. Two Justices to be appointed to hold  
Sessions twice a Year, and determine Pleas of the Crown,  
Pleas of Assises, &c. Mayors and Head Officers of Cor-  
porations may hold Pleas and determine Actions, so as  
they observe the Laws of *England*. Justices of Peace, &c.  
to be appointed as in *England*, &c. Freeholders may pass  
upon a Jury in all Causes Criminal and Civil, but not on  
Attaint, unless they have 40 s. per Annum.

The Crown may appoint two other Persons learned in 18 Eliz. c. 8.  
the Laws to be Judges in each of the *Welsh* Circuits, which  
had but one Justice before, or grant Commissions of As-  
sociation, &c.

27 El. c. 9.

This Statute was made for regulating the Fees and Proceedings in passing Fines and Recoveries, and for erecting an Office for Inrollments, &c. in *Wales*.

19 Car. 2.

c. 5.

7 &amp; 8 W. 3.

c. 38.

The Act 17 Car. 2. c. 7. to be in Force in all Causes of Replevin, in the Court of the Great Sessions of *Wales*, &c.

Persons inhabiting in *Wales* may give and dispose of their Goods and Chattels, &c. by Will, in like Manner as may be done within any Part of the Province of *Cambristry* or elsewhere.

11 &amp; 12

W. 3. c. 9.

None to be held to Bail in small Actions in *Wales*, or the Counties Palatine, unless Affidavit be made that the Cause of Action is 20 l. or upwards. Jurors returned to try Issues in *Wales* to have 6 l. a Year of Freehold or Copyhold above Reprizes.

### Waste.

6 E. 1. c. 5.

**A**ction of Waste is maintainable against Tenant by the Courtessie, in Dower, for Life or Years, and treble Damages recoverable.

13 E. 1. c. 14.

The Processes in an Action of Waste to be Summons, Attachment, and Distress; a Writ of Inquiry shall be granted to inquire of the Waste. *Or*, Action of Waste maintainable by one Tenant in Common against another of Wood &c.

20 E. 1.

An Action of Waste is maintainable by the Heir for Waste done in his Ancestor's Time.

11 H. 6. c. 5.

Waste is also maintainable by the Reversioner against Tenant for Life or Years, that aliens his Estate to a Stranger, who afterwards commits Waste, he still receiving the Profits.

8 &amp; 9 W. 3.

c. 10.

By this Statute the Plaintiff shall have Costs in all Actions of Waste where the Damages found do not exceed twenty Nobles; which he could not at Common Law. The Jury to have a View in a Writ of Waste.

Match.



## Watch.

**N**ight-Watches to be set between *Ascension-Day* and *Michaelmas*, from Sun-set to Sun-rising, with six Men at every Gate in Cities, and four in Towns, &c. who must be able Persons, &c. and are to arrest Strangers suspected, &c. 13 E. 1. c. 4.

This Statute orders Watch to be kept on the Sea-Coasts. 5 H. 4.

Matches and Matchmakers, see Trade.

## Watermen.

**E**ight Watermen to be chosen by the Court of Aldermen in London, for Overseers to keep good Order amongst the rest. Two Watermen not to ply but where one of them hath exercised the Profession two Years, and been allow'd by the Overseers under the known Seal, and a Person not retained as an Apprentice or Servant one Year, not to use the Profession. Wherries to be twelve Foot and a half long, and four Foot and a half broad in the Midship, or be liable to Forfeiture. Watermens Names to be registred by the Overseers; and the Fares of Watermen to be assess'd by the Court of Aldermen, which is to be subscribed by two of the Privy Council. 2 & 3 P. & M. c. 16.

Watermen not to retain any Servant, &c. as have not been Apprentice to Watermen five Years; and not an Apprentice under eighteen Years of Age, or for less than seven Years, under the Penalty of 10<sup>l</sup>. Watermens Sons at the Age of sixteen may carry Passengers from Place to Place. 1 Jac. 1. c. 16.

Lightermen, &c. on the Thames between Gravesend and Windsor to be of the Society of Watermen and Wherry-men, who are hereby made a Company. The Lord Mayor and Court of Aldermen yearly to elect eight of the best Watermen, and three of the best Lightermen, to be Overseers and Rulers. The Watermen to chuse

Assistants not exceeding sixty, nor less than forty, and the Lightermen nine at the principal Stairs, for preserving good Government. Auditors of Accounts to be appointed; and the Rulers, Auditors and Assistants may make Rules to be observed under Penalties. The Lord Mayor and Aldermen and Justices of Peace on Complaint of Overseers, &c. to hear and determine Offences, &c. The Rulers, &c. on their Court-Days, to appoint forty Watermen to ply on Sundays between *Vaux-Hall* and *Lincolne*, for carrying Passengers cross the River, and the Rulers to pay them for their Labour, and apply the Overplus of the Money to the poor decayed Watermen, &c.

4 & 5 Anne,  
c. 13.

By this the Statute 1 Jac. 1. is repealed, and Rules and Orders made by Vertue of 11 W. 3. for restraining Watermen, &c. free of the Company, from taking Apprentices, declared void. On Notice of the Commissioners of the Admiralty, Watermen to appear before the Company, to be sent on board the Fleet. Not appearing, to suffer one Month's Imprisonment, and be disabled for two Years.

### Weights and Measures.

9 H. 3. c. 25.

ONE Measure of Wine, Ale and Corn to be used throughout the Kingdom.

51 H. 3.

This Statute was made for regulating the Assise of Bread; Bakers, &c. not observing the Assise, to be set on the Pillory, &c. When Wheat is sold for 3 s. or 3 s. 4 d. a Quarter, Barley 20 d. and Oats 16 d. the Brewers to sell two Gallons of Ale and Beer for 1 d.

25 E. 3. c. 10.

Every Measure to be according to the King's Standard.

8 H. 6. c. 5.

Every City, Borough and Town to have a common Balance, with common Weights sealed, on pain of 10 l. the City, 5 l. the Borough, and 40 s. the Town.

11 H. 6. c. 8.

Every City, Borough and Town to have a common Buttel sealed according to the Standard, under the like Penalties.

7 H. 7. c. 4.

Measures and Weights of Brass to be sent to every City and Borough, and Mayors, &c. to seal Measures, refusing to seal them to forfeit 40 s.

Mayors,

Mayors, &c. to view all Measures and Weights once <sup>11 H. 7. c. 4.</sup> a Year, and break or burn those which are defective, and also inflict 6 s. 8 d. Penalty, &c.

Water-measure for measuring of Corn, repeal'd; and <sup>21 Car. 2. c. 8.</sup> selling in other Measures than according to the Standard to forfeit 40 s. Mayors and Head Officers of Towns, &c. permitting it to forfeit 5 l.

Mayors, &c. to set the Prices of all Bread. A Penalty <sup>8 Ann. c. 18.</sup> of 40 s. is inflicted by this Act on Bakers selling Bread under Weight, &c. And Mayors, Justices of Peace, &c. may enter any Shop, Bakehouse, &c. to search for, weigh and try Bread, and if the Bread be wanting in Weight, or deficient in Goodness, may seize the same, and give it to the Poor.

But by this Statute Bakers are to pay 5 s. for every <sup>1 Geo. 2. c. 25.</sup> Ounce wanting in Weight, and 2 s. 6 d. under an Ounce.

## Wills.

**W**idows may bequeath the Crop on the Ground, as <sup>20 H. 3. c. 2.</sup> well of their Dower as other Lands. And a Parson may bequeath a Crop on his Glebe. <sup>28 H. 8.</sup>

Every Person having a sole Estate in Fee-simple, or <sup>34 & 35 H. 8. c. 5.</sup> seised in Coparcenary, &c. of Manors and Lands, &c. may by his last Will and Testament, &c. devise the same, &c. to any Persons except Bodies Politick, &c. Wills made by Females Covert, Idiots, or Persons of nonsane Memory, not good in Law.

Nothing to be given for the Probate of a Will, when <sup>21 H. 8. c. 5.</sup> the Goods of the deceas'd exceed not 5 l. Value; when the Goods are above 5 l. but not 40 l. Value, the Judge's Fee is 2 s. 6 d. and the Register's 1 s. Above 40 l. the Register has 2 s. 6 d. or a Penny for ten Lines of the Will. Officers taking more than their Fees, to forfeit 10 l.

Devises of Lands, &c. to be made in Writing, and <sup>29 Car. 2. c. 3.</sup> signed by the Party in the Presence of three credible Witnesses. No nuncupative Wills to be good where the Estate bequeathed exceeds 30 l. nor proved by the Oaths of three Witnesses present; nor unless it were made in the



the last Sickness of the deceased, and he bid them bear Witness, &c. No Will in Writing to be revok'd by Words only.

4 & 5 W. & M. c. 2. This Statute relates to Wills made of Goods in the City of York.

4 & 5 Anne, c. 16. Witnesses that are good Witnesses at Trials in Common Law, good Evidence to prove a nuncupative Will.

### Wine.

4 E. 3. c. 22. **N**ONE shall sell Wines but at reasonable Prices; and Wines to be tried twice a Year, viz. at Easter and Michaelmas.

28 H. 8. c. 14. The Lord Chancellor, &c. has Power to set the Prices of Wines, by the Butt, Barrel, &c. And Persons selling at other Prices to forfeit 40 l.

7 E. 6. c. 5. None to sell Wine by Retail, but such as are licensed by Justices of Peace, &c. under the Penalty of 5 l.

12 Car. 2. c. 25. By this Statute the King may grant Commissions to two or more Commissioners to license Persons to retail Wine, &c.

22 & 23 Car. 2. c. 6. The Revenue of Wine-Licenses granted to the King, his Heirs and Successors.

1 W. & M. c. 34. Merchants adulterating Wine to forfeit 300 l. See Merchants.

### Wood.

35 H. 8. c. 7. **T**Welve Standils of Oak to be left in an Acre of Wood fell'd at or under twenty-four Years old, or the like Number of Elm, Ash, &c. if there be no Oaks, under the Penalty of 6 s. 8 d. for every Standil not left.

43 El. c. 7. Hedge-breakers, &c. to be whipp'd; Constables by Warrant from a Justice may search for stolen Wood, Poles, Gates, Stiles, &c. and if Persons cannot give a good Account how they came by it, to make Recompence, and pay to the Buyers of stolen Wood to pay the Value of the same.

Persons

Persons maliciously cutting or spoiling Timber-Trees, 1 Geo. c. 48.  
Fruit-Trees, &c. to be sent to the House of Correction  
for three Months, and whipp'd once a Month. Burning  
Wood or Underwood made Felony.

### Wool.

**T**HIS Statute made it Felony to transport Wool. 27 E. 3. c. 3.  
But this Act repeals the Felony, but a Forfeiture 38 E. 3. c. 6.  
of Lands and Goods to stand.

Wool, &c. in Creeks for Transportation, to be for- 14 H. 6. c. 5.  
feited.

Exporting or laying on Board any Vessel to export out 12 Car. 2.  
of England, Wales, Jersey, &c. any Sheep, Wool, Yarn, c. 32.  
&c. of the Produce of those Places, to forfeit the same,  
and 20 s. for every Sheep, and 3 s. for every Pound-  
weight of Wool, &c.

This Statute makes Exportation of Wool Felony again. 13 & 14

Wool carried on the Sea-Coasts to any Port, to be con- Car. 2. c. 18.  
veyed to another Port, &c. in England, to be entred at 1 W. & M.  
the Port where intended to be conveyed, or it shall be c. 32.  
forfeited, and the Carriages, &c.

This Act a second Time repeals the Felony for trans- 7 & 8 W. 3.  
porting Wool. No Wool to be carried within five Miles c. 28.  
of the Sea-Coasts, or any Counties adjoining to Scotland,  
but between Sun-rising and Sun-setting, on pain of For-  
feiture; and exporting the same beyond Sea, to  
forfeit the Vessel and treble Value. Persons aiding or  
assisting, to suffer three Years Imprisonment, &c.

This Act obliges Persons in Kent and Sussex within ten 9 & 10 W. 3.  
Miles of the Sea, to give an Account in Writing after c. 40.  
Sheep-sheering of the Number of Fleeces, and where  
lodg'd, &c. to the next Officer of the Customs, and have  
it entred. Wool not entred, to be forfeited, and 3 s. per  
Pound, &c.

Exporting Wool out of Ireland to Foreign Parts, the 10 & 11  
same to be forfeited, and 500 l. and also the Ship or W. 3. c. 10.  
Vessel, &c.

See more of Wool, Clothiers.

## Wreck.

- 3 E. 1. c. 4. **W**Here a Man, Dog or Cat escape alive out of a Ship, the same not to be adjudged a Wreck, but the Goods shall be saved and kept by the Sheriff a Year and a Day, for the Owner, who shall be restored to them, on Proof made of their being his.
- 27 E. 3. c. 13. Goods lost by Piracy or Tempest, and not by Wreck, if they afterwards come to Land, shall be restored to the Owner.
- 12 Ann. c. 18. Where a Vessel is stranded or run on Shore, or in Danger, Justices of Peace, &c. are to command Constables near the Sea-Coasts to call Assistance for Preservation of the Ship; and Officers of Men of War, &c. are to be aiding and assisting under the Penalty of 100 l. The King to have Wreck of the Sea, by *Prerog. Reg.*



## ERRATA.

**P**Age 27. Line ult. dele *Attainder of Criminals*, and read it as a Head in p. 28. P. 56. l. 18. dele 43 *El. c. 2.* and read it 20 *Churchwardens*. P. 191. at bottom of the Page, dele 25 *H. 8.* and read 11 *R. 2.*

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